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GENERAL ASSEMBLY
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Agenda item 33
THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Fifty-second year

Letter dated 17 January 1997 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General

On instructions from my Government and further to our earlier letters concerning Israel's attacks on southern Lebanon and the western Bekaa and the arbitrary practices against the civilian inhabitants in which it engages on a daily basis, I have the honour to notify you of the series of such incidents that took place in December 1996.

2 December 1996

At 1045 hours Israeli aircraft overflew the western Bekaa area and the town of Baalbek at high altitude.

At 1325 hours three artillery shells fired from Israeli positions fell in outlying areas of Jibal al-Butm in Tyre district.

6 December 1996

At 1140 hours outlying areas of Luwayzah, Jarju', Arabsalim, the Mlita and Jabal Safi hills and areas along the Nab' al-Tasah in the Iqlim al-Tuffah area came under Israeli artillery fire.

At 1300 hours outlying areas of Haddatha, Haris, Kafra and Yatar in Bint Jubayl district came under Israeli artillery fire.

7 December 1996

At 0700 hours outlying areas of Tibnin and Ayta al-Jabal came under Israeli artillery fire while helicopters overflew the area.

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At 1500 hours a number of fragmentation shells and nail shells fired from Israeli positions in the border strip fell in Kafr Tibnit and its environs. Seven persons were injured.

Between 1600 and 1800 hours Israeli warplanes overflew the Nabatiyah area at low altitude carrying out mock attacks.

8 December 1996

Between 1330 and 1615 hours Israeli warplanes overflew the Nabatiyah and Iqlim al-Tuffah areas.

9 December 1996

Between 1225 and 1615 hours the Mlita and Jabal Safi hills and outlying areas of Arabsalim, Jarju', Ayn Bu Siwar and Jba' came under Israeli artillery fire. No casualties were reported.

At 2020 hours Israeli warplanes overflew Sidon and the nearby camps at low altitude.

At 2100 hours Israeli warplanes overflew the Tyre area at medium altitude.

At 2345 hours Israeli warplanes overflew Sidon and the nearby camps at low altitude.

11 December 1996

At 0835 hours Israeli warplanes overflew Sidon and the nearby camps at high altitude.

14 December 1996

At about 1630 hours a clash took place between Israeli and Lahad forces on the one hand and men of the Lebanese National Resistance on the other. Weapons of all types were used. Occupation forces subsequently combed nearby areas for half an hour.

15 December 1996

At 0930 hours Israeli warplanes bombarded the Ayn al-Tinah heights and the southern outskirts of Mashgharah from low altitudes. Overflights continued until 1100 hours.

At 1200 hours Israeli artillery bombarded outlying areas of Zawtar al-Sharqiyah and Zawtar al-Gharbiyah and areas along the Litani river. Israeli warplanes also overflew the Nabatiyah area at medium altitude, while outlying areas of Jumayjimah, Majdal Silm, Sawwanah and Khirbat Silm came under Israeli artillery fire.

At 2145 hours outlying areas of Jba' in Nabatiyah district came under Israeli artillery fire. The bombardment stopped at 2330 hours.

16 December 1996

At 0950 hours Israeli warplanes overflew Sidon and the nearby camps at high altitude.

17 December 1996

At 0900 hours the outskirts of Arabsalim, outlying areas of Jarju' and the Mlita and Jabal Safi hills in the Iqlim al-Tuffah area came under Israeli artillery fire. The bombardment ceased at 1100 hours after causing property damage. It was accompanied by frequent overflights of the area by Israeli warplanes.

18 December 1996

At 0620 hours Israeli warplanes overflew the Nabatiyah area at low altitude. There were frequent overflights of the Iqlim al-Tuffah area.

At 0625 hours Israeli warplanes carried out five successive attacks on the Mlita and Jabal Safi hills and outlying areas of Luwayzah, firing air-to-surface missiles.

At 0915 hours Israeli warplanes overflew the Tyre area at medium altitude.

At 0930 hours Israeli warplanes overflew Sidon and the nearby camps at high altitude.

At 1300 hours Israeli warplanes overflew Sidon and its environs at high altitude.

At 1730 hours Israeli warplanes overflew the Iqlim al-Tuffah area and carried out a two-stage attack on the Mlita and Jabal Safi hills while Israeli helicopters overflew the area.

19 December 1996

At 0835 hours Israeli warplanes overflew the Iqlim al-Tuffah area at low altitude.

At 0850 hours Israeli warplanes overflew Sidon and the nearby camps at high altitude.

Between 1030 and 1200 hours outlying areas of Haddatha, Ayta al-Jabal, Bra'shit, Shaqra, Tibnin, Haris and Safad al-Battikh came under Israeli artillery fire, and heavy damage was done.

At 1115 hours Israeli warplanes overflew the sea off Tyre at low altitude.

At 1340 hours Israeli warplanes carried out a two-stage attack on Jabal Safi, and outlying areas of Luwayzah and Jarju' and the Mlita and Jabal Safi hills came under Israeli artillery bombardment. The bombardment and the attacks continued until 1600 hours.

20 December 1996

At 1330 hours outlying areas of Jba' and Mazra'at Kafra in the Iqlim al-Tuffah area came under Israeli artillery fire. It stopped at 1530 hours.

At 1430 hours outlying areas of Kafra Milki in the Sidon district came under Israeli artillery fire.

24 December 1996

At 1130 hours Israeli warplanes overflew Sidon and the nearby camps.

25 December 1996

At 1010 hours Israeli warplanes overflew Sidon at high altitude and also overflew Tyre at medium altitude.

26 December 1996

At 1600 hours the Abu Rashid hills and Jabbur pool in western Bekaa district came under artillery fire from Israeli positions and Lahad forces. The bombardment continued until 1730 hours.

27 December 1996

At 1300 hours outlying areas of Yatar, Kafra, Haris, Haddatha and Ayta al-Jabal came under artillery fire from Israeli positions in the border strip.

At 1630 hours outlying areas of Ayta al-Jabal, Tibnin, Bra'shit and Shaqra received bursts of heavy-weapons fire from occupation forces in positions on the hills opposite.

31 December 1996

At 0100 hours outlying areas of Kafr Rumman, Sujud and Jabal al-Rafi', the environs of the abandoned Lebanese Army barracks in Nabatiyah al-Fawqa and areas along the Habbush river came under Israeli artillery fire. At the same time, Israeli warplanes overflew the Iqilm al-Tuffah and Nabatiyah areas.

At 1730 hours the occupation artillery shelled outlying areas of Jba' in Nabatiyah district from positions in the border strip. The bombardment was accompanied by low-level overflights of the area by Israeli warplanes and helicopters. The bombardment and the overflights continued until 1930 hours.

The Lebanese Government strongly condemns the continued Israeli occupation and these fresh attacks and arbitrary practices inflicted on the Lebanese population, which have left a number of casualties and have caused further serious damage to property.

Like previous attacks, this new series is in flagrant violation of the sovereignty and independence of Lebanon and constitutes a breach of the purposes

and principles of the Charter of the United Nations, of international law and of basic human rights.

I should be grateful if you would have this letter circulated as a document of the General Assembly, under agenda item 33, and of the Security Council.

(Signed) Samir MOUBARAK
Ambassador
Permanent Representative

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A/51/776
S/1997/51
20 January 1997

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-first session
Agenda item 40
THE SITUATION IN CENTRAL AMERICA:
PROCEDURES FOR THE ESTABLISHMENT OF
A FIRM AND LASTING PEACE AND PROGRESS
IN FASHIONING A REGION OF PEACE, FREEDOM,
DEMOCRACY AND DEVELOPMENT

SECURITY COUNCIL
Fifty-second year

Identical letters dated 16 January 1997 from the Secretary-General addressed to the President of the General Assembly and to the President of the Security Council

I have the honour to transmit herewith the texts of two agreements pertaining to the Guatemalan peace process, which were signed by the Peace Commission of the Government of Guatemala (COPAZ) and the General Command of the Unidad Revolucionaria Nacional Guatemalteca (URNG) under the auspices of the United Nations in December 1996.

The Agreement on Constitutional Reforms and the Electoral Regime (annex I) was signed in Stockholm on 7 December 1996 in the presence of the Swedish Minister for International Cooperation, Immigration and Asylum Policy, Mr. Pierre Schori, and senior officials of the countries that are members of the Group of Friends of the Guatemalan Peace Process (Colombia, Mexico, Norway, Spain, the United States of America and Venezuela). Also present was a delegation of personalities representing a broad array of sectors of Guatemalan society.

This Agreement contains a series of proposals for constitutional reform that the Government of Guatemala is to place before the Congress within 60 days of the signing of the Agreement on a Firm and Lasting Peace, which occurred on 29 December 1996. The proposals focus mainly on the recognition of the identity and rights of indigenous peoples and the mandate and structure of the country's security forces. The Agreement also provides for the establishment by the Supreme Electoral Tribunal of an Electoral Reform Commission to review and modernize the various stages of the electoral process.

The Agreement on the Basis for the Legal Integration of URNG (annex II) was signed by the Parties in Madrid on 12 December 1996, in the presence of the Spanish Foreign Minister, Mr. Abel Matutes, senior representatives of the Group of Friends and the same delegation of Guatemalan personalities that attended the signing ceremony in Stockholm.

This Agreement outlines a comprehensive programme for the integration of URNG members into Guatemalan society. It provides, inter alia, for the establishment of a joint Government/URNG commission to coordinate and facilitate integration projects and contains provisions to be included in a National Reconciliation Act that will constitute the legal framework for this integration.

I should be grateful if you could issue the present letter and its annexes as a document of the General Assembly, under agenda item 40, and of the Security Council.

(Signed) Kofi A. ANNAN

ANNEX I

[Original: Spanish]

Agreement on Constitutional Reforms and the Electoral Regime

I. CONSTITUTIONAL REFORMS

Whereas the Constitution in force since 1986 sets forth the responsibility of the State, as the expression of the legal and political organization of society, for promoting the common good and the consolidation of the rule of legality, security, justice, equality, freedom and peace, and defines as a central concern the promotion of the full enjoyment of human rights within a stable, permanent and popular institutional order in which governed and government act with absolute adherence to the law,

Whereas in the Oslo Agreement of 30 March 1990, the delegation of the National Reconciliation Commission of Guatemala (CNR), acting with the full support of the Government of Guatemala, and the delegation of the Unidad Revolucionaria Nacional Guatemalteca (URNG), acting with the full support of its General Command, placed on record their express determination to find ways to solve the nation's problems peacefully by political means,

Whereas on 24 April 1991, the process of direct negotiation began between the Government of the Republic of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca (URNG), the Parties having pledged that the political agreements reached would reflect the legitimate aspirations of all Guatemalans and would be drawn up in accordance with the constitutional framework in force and with the El Escorial agreements, in which URNG and the country's political parties had pledged to promote such reforms of the Political Constitution of the Republic as were necessary for the reconciliation of all Guatemalans, the ending of the internal armed conflict, the peaceful solution of the nation's problems by political means and full respect for and application of the law,

Whereas the constitutional reforms contained in this Agreement constitute a substantive, fundamental basis for the reconciliation of Guatemalan society within the framework of the rule of law, democratic coexistence, full observance of and strict respect for human rights, an end to impunity and, at the national level, the institutionalization of a culture of peace based upon mutual tolerance and respect, shared interests and the broadest possible public participation in all structures of power,

Whereas the above-mentioned reforms will contribute to political stability, the strengthening of civilian power and the agreed redefinition of the functions of the armed forces for the new era in the country's history which will begin with the signing of the Agreement on a Firm and Lasting Peace,

Whereas the above-mentioned reforms also systematize and develop the spirit and the letter of the commitments signed on institutional, political, economic,

social and ethnic issues, on human rights and their strict observance and on efforts to combat impunity,

Whereas, at the national level, recognition of the identity of indigenous peoples is of fundamental importance for building national unity based on respect for and the exercise of the political, cultural, economic and spiritual rights of all Guatemalans, as well as on the fulfilment of their duties,

Whereas the agreed constitutional reforms are a historic step which, at the institutional level, guarantees and ensures the building of a just peace and democratic stability by political and institutional means, within the framework of the political Constitution of the Republic,

The Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca (URNG), hereinafter referred to as "the Parties", have agreed as follows:

1. The Government of the Republic shall place before the Congress of the Republic the draft constitutional amendments contained in sections A and B of this Agreement 60 days after its entry into force.

2. It is understood that, where the text of a proposed constitutional amendment is not expressly drafted and the number of the corresponding article is not indicated, its drafting and numbering will be left to the legislative branch.

3. The Parties request the Congress of the Republic to promulgate or amend ordinary legislation, as necessary, to adapt it to the provisions agreed to by the Parties in the Peace Agreements and to the constitutional amendments contained in this Agreement; and also, if necessary, to agree to any other constitutional or legal amendments that may be required to maintain consistency and compatibility with the reforms proposed by the Parties.

A. Constitutional reforms contained in the Agreement on Identity and Rights of Indigenous Peoples

4. This Agreement provides for constitutional recognition of the identity of the Maya, Garifuna and Xinca peoples and, from that standpoint, of the need to define and characterize the Guatemalan State as being one of national unity and multi-ethnic, multicultural and multilingual in nature. It is not just a matter of recognizing the existence and identity of various ethnic groups, as article 66 of the Constitution currently does, but of recognizing that the very make-up of society, without prejudice to the unity of the nation and the State, is characterized in that way; this also entails recognizing the specific nature of indigenous people's spirituality as an essential component of their world view and of the transmission of their values, and granting official constitutional recognition to indigenous languages as one of the mainstays of national culture and as a vehicle for acquiring and transmitting indigenous people's world view, knowledge and cultural values.

Identity of the Maya, Garifuna and Xinca peoples

5. Sponsor in the Congress of the Republic express constitutional recognition of the identity of the Maya, Garifuna and Xinca peoples, within the unity of the Guatemalan nation.

List of the languages existing in the country

6. Sponsor in the Congress of the Republic an amendment to the Constitution incorporating in its article 143 a list of all languages existing in the Republic, which the Government is required to recognize, respect and promote.

Official recognition of indigenous languages

7. Sponsor in the Congress of the Republic, in accordance with the conclusions of the Official Recognition Commission established under the Agreement on Identity and Rights of Indigenous Peoples, the necessary constitutional amendments arising out of the Commission's work.

Spirituality of the Maya, Garifuna and Xinca peoples

8. Sponsor in the Congress of the Republic the amendment of article 66 of the Constitution to stipulate that the State recognizes, respects and protects the various forms of spirituality practised by the Maya, Garifuna and Xinca peoples.

Definition and characterization of the Guatemalan nation

9. Sponsor in the Congress of the Republic an amendment to article 140 of the Constitution to define and characterize the Guatemalan nation as being one of national unity and multi-ethnic, multicultural and multilingual in nature.

B. Constitutional reforms included in the Agreement on the Strengthening of Civilian Power and on the Role of the Armed Forces in a Democratic Society

10. Within the framework of the modernization of State institutions, the Agreement on the Strengthening of Civilian Power and on the Role of the Armed Forces in a Democratic Society provides for constitutional reforms with respect to the Congress of the Republic, the Judiciary, the functions of the President of the Republic, and the Guatemalan armed forces. The aim is not to propose case-by-case measures, but to reformulate the whole conception of State organs and institutions with a view to strengthening democracy in line with present-day constitutional trends.

Congress of the Republic

11. With regard to the Congress of the Republic, present conditions have prompted various social sectors to raise the issue of the number of deputies, with a view to preventing their numbers from exceeding a predetermined reasonable level while preserving their representativeness as a characteristic expression of democracy. In addition, that representativeness raises the need

for an equally reasonable turnover of deputies; accordingly, it is envisaged that deputies will not be able to be re-elected for more than two consecutive terms.

Fixed number of deputies

12. Sponsor in the Congress of the Republic an amendment to article 157 of the Constitution to maintain the number of deputies in the Congress at the current level.

13. An amendment to the same article, stating that deputies cannot be re-elected for more than two consecutive terms, should also be sponsored, so as not to prevent parliamentary careers but at the same time to permit a turnover of political leadership in the Congress.

Administration of justice

14. The integrity and efficiency of the judicial function fulfil the task of guaranteeing the rules of social relations, a guarantee which can become operative only if there is security, as manifested in the substantive rights prescribed by law, the fair settlement of disputes, universal respect for procedural norms, the punishment of offenders and reparation for injury.

15. That is why it is important to strengthen the judicial function so that, within the constitutional framework that provides general guarantees for the administration of justice, free access to the administration of justice, regardless of financial means, can become a reality, based, in particular, on the multi-ethnic, multicultural and multilingual nature of Guatemala; the impartiality and independence of judges; the reasonable and prompt resolution of social conflicts; the provision of alternative mechanisms for resolving such conflicts; and a career judicial service which strives to ensure the professional excellence of judges, as well as proper recognition of the dignity of their profession and of their rights and responsibilities with regard to training and advanced training, without prejudice to a disciplinary system which, while respecting the rights of defence and due process, guarantees the proper exercise of the judicial function, with the power to impose penalties being exercised solely by the judiciary.

Guarantees for the administration of justice

16. Sponsor in the Congress of the Republic an amendment to article 203 of the Constitution which would make an initial express reference to guarantees of the administration of justice and, as such, include: (a) free access to the administration of justice in the person's own language; (b) respect for the multi-ethnic, multicultural and multilingual nature of Guatemala; (c) defence counsel for those who cannot afford it; (d) impartiality and independence of judges; (e) reasonable and prompt resolution of social conflicts; and (f) provision of alternative conflict-resolution mechanisms. In addition, the present content of article 203 should be reproduced in summarized form in a separate paragraph.

Career judicial service

17. Sponsor in the Congress of the Republic the amendment of articles 207, 208 and 209 of the Constitution, which would include a reference to the Act on the Career Judicial Service and establish its content as follows:

(a) Rights and responsibilities of judges, dignity of the profession and adequate remuneration;

(b) System of appointments and promotions of judges based on public competitive examinations designed to ensure professional excellence;

(c) Right and duty to pursue judicial training and advanced training;

(d) Disciplinary system, with pre-established guarantees, procedures, levels of jurisdiction and penalties, and the principle that a judge or magistrate can be investigated and punished only by his peers.

Personnel of the judiciary

18. Sponsor in the Congress of the Republic an amendment to article 210 of the Constitution eliminating the guarantee set forth in the second paragraph, since its content would be subsumed under the three preceding articles. Article 210 should refer only to personnel of the judiciary who are not judges or magistrates.

National Civil Police

19. Sponsor in the Congress of the Republic the inclusion of an article in the Constitution defining the functions and main characteristics of the National Civil Police as follows:

> "The National Civil Police is a professional and hierarchical institution. It is the only armed police force with national jurisdiction and its function is to protect and safeguard the exercise of the rights and freedoms of individuals; to prevent, investigate and combat crime; and to maintain public order and internal security. It shall be under the control of civilian authorities and shall show strict respect for human rights in carrying out its functions.
>
> "The law shall regulate the requirements and procedures for admission to the police profession, as well as promotions, advancement, transfers, disciplinary action against police officials and employees and other questions related to the functioning of the National Civil Police."

Guatemalan armed forces

20. In a democratic society, the typical functions of the armed forces relate to the defence of sovereignty and territorial integrity; any other function is atypical and exceptional; like any other government institution, their exercise of other functions must take place in a context of subordination to lawfully constituted authority and be preceded by a decision of and be monitored by the

lawfully constituted authorities of the State within their specific sphere of competence. Any exceptional function of the armed forces must therefore be decided by the President of the Republic, as Head of State and Commander-in-Chief of the Armed Forces, and be subject to oversight by the Congress of the Republic.

21. Moreover, like other Ministers of State, the Minister of Defence is called upon to perform policy-making functions which do not necessarily require that he have a strictly technical background. As a result, the current requirement that he be a member of the armed forces is not justified. In keeping with present-day conceptions of the organization of the judiciary, exclusive military jurisdiction in criminal matters should be confined to strictly military crimes and misdemeanours.

Constitution, organization and functions of the armed forces

22. Sponsor in the Congress of the Republic an amendment to article 244 of the Constitution so that it reads as follows:

> "Article 244. Constitution, organization and functions of the armed forces. The Guatemalan armed forces are a permanent institution in the service of the nation. They are unique and indivisible, essentially professional, apolitical, obedient and non-deliberative. Their function is to defend the sovereignty of the State and the integrity of its territory. They consist of land, sea and air forces. Their organization is hierarchical and is based on the principles of discipline and obedience."

Functions of the President of the Republic

23. Sponsor in the Congress of the Republic an amendment to article 183 of the Constitution which would include the following:

> "Delete paragraph (r) of article 183 and amend the wording of paragraph (t) to read: 'To grant special pensions'".

24. With regard to the functions of the President of the Republic, it has been agreed to sponsor the inclusion of the following in article 183:

> "Where the normal means for the maintenance of public order and internal peace have been exhausted, the President of the Republic may, on an exceptional basis, use the armed forces for this purpose. The action of the armed forces shall always be temporary, shall be conducted under civilian authority and shall involve no limitation whatsoever on the exercise of the constitutional rights of citizens.
>
> "To order these exceptional measures, the President of the Republic shall issue the corresponding agreement. The action of the armed forces shall be limited to such time and modalities as are strictly necessary and shall cease as soon as its purpose has been achieved. The President of the Republic shall keep the Congress informed of the operations of the armed forces, and the Congress may at any time order that such operations shall cease. In any event, within 15 days following the end of such operations,

the President of the Republic shall submit to the Congress a detailed report on the action of the armed forces."

Duties and powers of the President over the armed forces

25. Sponsor in the Congress of the Republic an amendment whereby the final sentence of paragraph (b) of article 246 of the Constitution, which reads: "He may, likewise, approve special pensions", would be deleted.

26. Also sponsor the redrafting of the first paragraph of article 246 so that it reads as follows:

"The President of the Republic is the Commander-in-Chief of the Armed Forces and shall issue his orders through the Minister of National Defence, whether the Minister is a civilian or a member of the armed forces."

Military courts

27. Sponsor in the Congress of the Republic the total redrafting of article 219 of the Constitution, so that it reads as follows:

"Article 219. Military courts. The military courts shall try the crimes and misdemeanours specified in the Military Code and in the corresponding regulations. Ordinary crimes and misdemeanours committed by military personnel shall be tried and judged by the ordinary courts. No civilian may be judged by military courts."

II. ELECTORAL REGIME

Whereas:

Elections are the essential instrument for the transition which Guatemala is currently making towards a functional, participatory democracy,

For that purpose, Guatemala has, in the form of the Supreme Electoral Tribunal, an independent institution of recognized impartiality and prestige which is a key element in safeguarding and strengthening the electoral regime,

It is necessary to increase citizens' participation in the electoral process and to overcome the phenomenon of abstentionism in order to strengthen the legitimacy of public authority and consolidate a pluralistic, representative democracy in Guatemala,

The level of electoral participation is the result of many different social and political factors, including the impact of civil institutions on the daily lives of Guatemalans, the capacity of political parties to fulfil people's expectations, the degree of organized participation by citizens in social and political life and their level of civic education, all of which are elements which the package of peace agreements already signed seeks to strengthen.

The electoral process is marred by specific shortcomings which impede the effective enjoyment of the right to vote. These shortcomings include citizens' lack of reliable documentation, the absence of technically prepared electoral rolls, difficulty of access to registration and voting, lack of information and the need for greater transparency in election campaigns.

This Agreement seeks to promote legal and institutional reforms which will remedy those shortcomings and constraints and, together with the other peace agreements, help to improve the electoral regime as an instrument of democratic transformation.

The Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca (hereinafter referred to as "the Parties") have agreed as follows:

Electoral Reform Commission

1. Recognizing the role of the Supreme Electoral Tribunal in safeguarding and strengthening the electoral regime, the Parties agree to request the Tribunal, through this Agreement, to establish and preside over an Electoral Reform Commission charged with publishing a report and making a series of recommendations on electoral reform and the corresponding legislative amendments.

2. In addition to its Chairman, who would be appointed by the Supreme Electoral Tribunal, the Commission would consist of one representative and one alternate for each of the political parties with representation in Parliament and two members and their respective alternates to be appointed, at its discretion, by the Supreme Electoral Tribunal. The Electoral Reform Commission would receive all such support and advisory services as it considered necessary.

3. It is recommended that the above Commission be constituted no later than three months after the signing of the Agreement on a Firm and Lasting Peace and that it complete its work no later than six months from the date of its establishment. In order to achieve its objectives, the Commission would have to encourage an extensive pluralistic debate on the subject of Guatemala's electoral regime.

4. As a minimum, non-restrictive agenda for modernizing the electoral regime, the Commission would consider the following items:

(a) Documentation;

(b) Electoral rolls;

(c) Voting;

(d) Transparency and publicity;

(e) Information campaign;

(f) Institution-building.

Basic proposals

5. In connection with these items, the Parties agree that, in keeping with the efforts being made to strengthen the electoral process, they would put forward for consideration by the Electoral Reform Commission the following basic proposals:

Documentation

6. Given that lack of reliable documentation is an obstacle to the implementation of the various phases of the electoral process, the Parties consider that it would be useful to introduce a single identity document, with a photograph of the holder, which would replace the present local identity card and which, as an identification document for all civil matters, would also serve for elections. Such a document would be issued by the Supreme Electoral Tribunal, through the National Registry. To this end, the appropriate reforms of the Elections and Political Parties Act and the Civil Code would be undertaken.

7. As a contribution to the next general elections, it would be extremely important and useful for all citizens to use the new single identity document.

Electoral rolls

8. Bearing in mind the need to steadily improve the electoral rolls which the Supreme Electoral Tribunal is responsible for compiling and updating, the Parties consider that it would be useful for the Electoral Reform Commission to study ways of ensuring that deaths and changes of address are recorded systematically.

9. In order to establish electoral districts within each municipality, with their own electoral roll, where necessary, to facilitate voting, it is proposed that the Commission should recommend the reform of the Elections and Political Parties Act to ensure that the electoral rolls are based on place of residence.

10. The Electoral Reform Commission should examine ways of facilitating citizens' access to voter registration centres and of ensuring that the Supreme Electoral Tribunal has the resources to expand its coverage in rural areas.

11. Taking into account the new functions of the Guatemalan armed forces, as set forth in the Agreement on the Strengthening of Civilian Power and on the Role of the Armed Forces in a Democratic Society, and considering the Parties' shared objective of promoting the broadest possible participation of citizens in the electoral process, the Commission is invited to examine the desirability of granting, in the future, members of the Guatemalan armed forces on active duty the political right of voting in Guatemalan elections.

Voting

12. It is necessary to facilitate citizens' access to voting centres. To that end, the Parties propose that, based on the electoral rolls, the Supreme Electoral Tribunal, in consultation with political parties, should identify the

places in which voting centres are to be set up within municipalities; such places would be those which have large numbers of residents living a long way from the municipal capital and which are also accessible to party poll-watchers and electoral observers. Voting centres should correspond to a municipal electoral district with its own electoral roll, thereby avoiding any problems which might otherwise arise from having a common municipal electoral roll for all voting centres.

13. The Electoral Reform Commission should study and propose the necessary legislative and/or administrative changes to facilitate the participation of internal migrant workers in elections, which currently coincide with the period of seasonal migration of labour.

Transparency and publicity

14. In order to promote greater transparency in the presentation of candidates by assemblies of political parties, action should be taken to ensure that all party members are informed of the convocation and holding of the general assemblies of political parties. The Electoral Reform Commission could examine whether compliance in convoking and holding the assemblies of political parties might be verified as a matter of routine by the National Registry or whether it would be useful to amend the law to enable the Supreme Electoral Tribunal to supervise effectively the convocation and holding of assemblies of political parties, as well as their results.

15. In order to ensure transparency in the financing of election campaigns and that voter preference is not supplanted by spending power, the Parties consider that the Supreme Electoral Tribunal should have the power to set a ceiling for campaign spending by each presidential candidate in the mass media. It is recommended that consideration be given to the possibility of providing and facilitating the use of media time and space free of charge for all parties on an equal footing.

16. Parties and candidates should be compelled to make available such accounting records and reports as may be required from them by the National Registry in order to verify that their sources of funding are lawful. The calculation of campaign spending should include, at market prices, any advertising donated to the parties during the election campaign.

17. It would also be useful to promote a reform of the Penal Code to characterize the acceptance of illicit campaign funding as a crime, establishing that anyone who receives or authorizes the receipt of such contributions for the funding of political organizations or election campaigns is guilty of such a crime. The reform would establish the corresponding criminal penalties.

Public information campaigns

18. The increasingly active participation of citizens in the electoral process is a guarantee of the legitimacy and representativeness of the elected authorities. This objective would be more easily achieved if ongoing campaigns to educate, motivate and inform citizens were carried out. The Electoral Reform Commission would examine the possibility of conducting information campaigns to:

(a) Explain the importance of the right of citizens to vote and to be elected;

(b) Encourage and promote the timely preparation of electoral rolls;

(c) Provide information on how to vote, the documents to be presented at voting tables and centres and the hours during which voting takes place;

(d) Provide information on how to organize civic committees or join a political party.

19. In order to ensure that these campaigns are effective, account would have to be taken of the importance of using the various languages of indigenous peoples, as agreed in the Agreement on Identity and Rights of Indigenous Peoples.

Institution-building

20. In order to strengthen the electoral regime, the Parties agree to request the Electoral Reform Commission to design a programme for modernizing the National Registry. Such a programme, with the corresponding activities to train and professionalize the personnel involved, would permit the automation of data and their incorporation into coordinated networks so that electoral rolls could be effectively cross-checked, maintained and updated.

21. Bearing in mind the role of the Supreme Electoral Tribunal in the electoral reform proposed in this Agreement, the Parties consider that it would be helpful if the Electoral Reform Commission were to analyse what resources the Tribunal requires in order to function efficiently, particularly in order to perform its ongoing functions in the areas of voter registration, preparation of electoral rolls and public information campaigns. The executive branch, for its part, will review the Electoral Reform Commission's analysis of such resources and take whatever action it can to strengthen the operations of the Supreme Electoral Tribunal.

III. FINAL PROVISIONS

First. This Agreement forms part of the Agreement on a Firm and Lasting Peace and shall enter in force on the day when the latter is signed.

Second. In accordance with the Framework Agreement, the Secretary-General of the United Nations is requested to verify compliance with this Agreement.

Third. This Agreement shall be widely publicized.

Stockholm, 7 December 1996.

For the Government of Guatemala:

(Signed) Gustavo PORRAS CASTEJÓN

(Signed) Otto PÉREZ MOLINA
Brigadier-General

(Signed) Raquel ZELAYA ROSALES

(Signed) Richard AITKENHEAD CASTILLO

For the Unidad Revolucionaria Nacional Guatemalteca:

(Signed) Carlos GONZALES

(Signed) Commander Rolando MORÁN

(Signed) Commander Pablo MONSANTO

(Signed) Jorge ROSAL

For the United Nations:

(Signed) Jean ARNAULT

ANNEX II

[Original: Spanish]

Agreement on the Basis for the Legal Integration of the Unidad Revolucionaria Nacional Guatemalteca

Whereas the internal armed conflict that Guatemala has experienced for over three decades resulted from the closing of political opportunities for democratic expression and participation and from the adoption of measures of political repression against individuals and organizations linked or identified with the Government overthrown in 1954,

Whereas, given a situation where there is social and economic injustice, including discriminatory practices against indigenous peoples, and the systematic denial of individual and collective rights and safeguards, the peoples concerned have the right to seek the necessary democratic change,

Whereas the package of peace agreements signed by the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca (URNG) constitute a new and promising framework for the democratic life of the country, based on new forms of political participation and a new institutional framework,

Whereas building a democratic, multi-ethnic, multicultural and multilingual nation, with social justice, calls for equitable participation by all citizens, both men and women, on the basis of complete political and ideological pluralism,

Recognizing that Guatemalan society needs to develop conditions conducive to reconciliation and lasting governability,

Whereas completion of the negotiating process with a view to finding a political solution to the internal armed conflict calls for the establishment of a set of measures to integrate URNG as a lawful body,

Recognizing the determination of URNG to convert its political-military forces into a duly authorized political party that will operate within the Guatemalan legal system,

Recognizing that the legal integration of members of URNG, in full exercise of their constitutional rights and duties and in security and dignity, will contribute to the democratic process and its consolidation, the restoration of the social fabric in Guatemala, reconciliation and the establishment of a firm and lasting peace,

Calling on the State as a whole, all sectors of Guatemalan society and the international community to assist in and contribute to the process of integrating URNG,

The Government of Guatemala and URNG (hereinafter referred to as "the Parties") have agreed as follows:

I. DEFINITIONS

1. The "legal integration of URNG" means the process whereby URNG members are to be integrated into political, economic, social and cultural life in a context of dignity, security, legal safeguards and the full exercise of their civil rights and duties.

2. The process of integrating members of URNG shall begin with the signing of the Agreement on a Firm and Lasting Peace and shall lead to their lasting integration into the civil life of the country. The integration process shall be divided into two phases: an initial integration phase, which shall last one calendar year starting on D+60, and a subsequent, definitive integration phase, for the medium term, in which the support required to consolidate the process will be provided.

Initial integration phase

3. There shall be two separate procedures during the initial integration phase, which shall be applied according to the status of the URNG members concerned:

(a) The procedure applicable to members of the various guerrilla fronts and other combatants, according to the definitions set out in paragraph 20 of the Agreement on the Definitive Ceasefire. Such procedure shall be divided into two stages:

(i) The demobilization stage, which shall last two months and means the ending of URNG military structures at the agreed assembly points. This stage shall include services such as the provision of temporary documentation and vocational training and guidance, with a view to facilitating the subsequent integration of demobilized combatants. The verification authority shall transmit to the Special Integration Commission a definitive list of demobilized combatants drawn up at assembly points no later than D+30;

(ii) The reinsertion stage, which shall begin upon completion of the demobilization process (D+60) and end one year later. Its basic purpose is to provide emergency assistance to former combatants and create conditions conducive to a smooth transition to the definitive integration phase. The minimum requirements to be met during such phase are (but shall not be limited to):

- Provision of inputs and services appropriate to an emergency situation;

- Beginning of training and employment programmes;

- Establishment of financial machinery to obtain the resources needed to launch the definitive integration phase;

- Identification of government social and economic programmes for the population as a whole that can provide assistance to former combatants and to members of URNG internal structures who are to be integrated during the definitive integration phase, on terms similar to those for other beneficiaries of such programmes;

(b) The procedure applicable to other URNG members, members of the internal political structure and Guatemalans forming part of the international support structure who are not subject to the demobilization process. Provision shall be made for them to receive the necessary support for their legal integration, and, based on their individual circumstances, other services to facilitate their integration into productive life. URNG shall transmit to the verification authority by D-15 at the latest a list of non-demobilized members who are to be beneficiaries of this procedure. The authority shall, in turn, transmit such list to the Special Integration Commission once it has been set up.

4. The Government of Guatemala and URNG pledge to take the necessary steps to ensure completion of the initial integration stage, and they request assistance from the international community to that end. For the execution of the relevant programme, subprogrammes and projects, a Special Integration Commission shall be set up, with the participation of the Government of Guatemala, URNG and, in a consultative capacity, donor and cooperative countries and agencies. To ensure full participation by beneficiaries in the design, execution and evaluation of projects and programmes concerning them, an Integration Foundation shall be set up which shall be directly involved in the various stages of the integration process.

Definitive integration phase

5. One year after D+60, beneficiaries of both procedures shall become eligible for longer-term services provided by the Government, including financial, technical, legal and employment assistance and assistance in the areas of education, training and production projects with a view to ensuring their lasting integration into the economic, social and cultural life of the country, on the same terms as the rest of the Guatemalan population. Additional specific projects for URNG members shall be the responsibility of the Integration Foundation. The Parties call on international cooperation to provide technical and financial support to ensure the success of the definitive integration phase.

Integration programme

6. "URNG integration programme" means the package of legal, political, economic and security measures and provisions, and also subprogrammes and projects, which are to ensure the success of the integration process. This programme shall be carried out in accordance with the objectives and principles set out below.

II. OBJECTIVES AND PRINCIPLES

Objectives

7. The integration programme shall seek to create the best possible conditions for the integration of URNG members into the legal, political, social, economic and cultural life of the country, in security and dignity.

8. The initial integration phase shall seek to provide URNG members, particularly former combatants, with the necessary means to embark upon their lasting integration by means of productive, educational, training and other activities. Appropriate use of such means shall be the responsibility of the beneficiaries.

9. The definitive integration phase shall seek to provide URNG members, particularly former combatants, with the necessary support to consolidate their integration. The integration programme shall also seek to contribute to the development of the country and to national harmony.

Principles

10. The Government of Guatemala undertakes to guarantee the political, legal and security conditions and promote the social and economic conditions necessary for the implementation of the integration programme.

11. URNG undertakes to do everything possible to ensure the successful integration of all of its members into the social, economic and cultural life of the country through the implementation of the programme.

12. The programme shall treat former combatants, women, young people and disabled persons as sectors requiring specific priority attention.

13. In view of the diverse personal circumstances of the URNG members who are being integrated into lawful life, the programme shall be implemented in a flexible manner appropriate to their needs.

14. In order to ensure such flexibility, subprogrammes and projects designed, managed and implemented with the full participation of beneficiaries shall be promoted, in accordance with the institutional arrangements set out in this Agreement.

15. Whenever relevant, and particularly in the case of production projects, efforts shall be made to ensure that the programme has a positive impact on the communities in which it is carried out and that it is designed and implemented in consultation with them.

III. ELEMENTS OF THE INTEGRATION PROGRAMME

16. The URNG integration programme shall consist of the following elements:

A. Legal area

National Reconciliation Act

17. The Government shall sponsor in the Congress of the Republic a draft National Reconciliation Act whose object shall be, in accordance with the spirit and content of the Peace Agreements, to promote a culture of harmony and mutual respect that will eliminate any form of revenge or vengeance, while safeguarding the fundamental rights of the victims, as prerequisites for a firm and lasting peace.

The right to know the truth

18. In recognition of the inalienable right of any society to know the truth, the National Reconciliation Act shall instruct the Commission to Clarify Past Human Rights Violations and Acts of Violence that Have Caused the Guatemalan Population to Suffer (the "Clarification Commission") to devise means whereby the truth about the period of the internal armed conflict may be known and acknowledged, in order to avoid a repetition of such events. The Act shall require all State bodies and entities to provide the Commission with the support necessary for the accomplishment of its tasks, in accordance with the purposes specified in the relevant agreement.

The right of redress

19. On the principle that any violation of human rights entitles the victim to obtain redress and imposes on the State the duty to make reparation, the Act shall assign to a State body responsibility for implementing a public policy of compensation for and/or assistance to the victims of human rights violations. The body in question shall take into consideration the recommendations to be formulated in that regard by the Clarification Commission.

Extinction of criminal liability

20. With a view to promoting national reconciliation, without neglecting the need to combat impunity, the National Reconciliation Act shall contain a clause allowing URNG members to be integrated into lawful life.

Political crimes

21. In relation to the aforesaid clause, the National Reconciliation Act shall declare the extinction of criminal liability for political crimes committed in the internal armed conflict up to the date on which the Act enters into force and shall cover persons who perpetrated, abetted or were accessories to crimes against State security, public institutions and the public administration, as defined in articles 359, 360, 367, 368, 375, 381, 385 to 399, 408 to 410 and 414 to 416 of the Penal Code and in Title VII of the Arms and Munitions Act. In such cases, the Public Prosecutor's Office shall refrain from exercising a right of action and the judicial authority shall dismiss proceedings.

Related common crimes

22. Also in relation to the clause mentioned in paragraph 20, the National Reconciliation Act shall extinguish criminal liability for related common crimes committed in the armed conflict, such crimes being defined as those which are directly, objectively, intentionally and causally related to the commission of the political crimes referred to in the preceding paragraph and which cannot be shown to be motivated by personal goals. The common crimes which are defined as related to the political crimes mentioned in the preceding paragraph are those described in articles 214 to 216, 278, 279, 282 to 285, 287 to 289, 292 to 295, 321, 325, 330, 333, 337 to 339, 400 to 402, 404, 406 and 407 of the Penal Code.

Other extinctions of criminal liability

23. In respect of persons who were involved in the internal armed conflict owing to institutional mandates, the National Reconciliation Act shall contain specific provisions equivalent to those previously mentioned, in that they shall extinguish criminal liability for common crimes perpetrated with the aim of preventing, thwarting, suppressing or punishing the commission of political crimes and related common crimes, where such crimes were directly, objectively, intentionally and causally related to that aim, unless it is demonstrated that there is no relationship between the criminal act and the stated aim.

Restrictions

24. The provisions in the National Reconciliation Act which extinguish criminal liability shall under no circumstances extend to crimes which, under domestic law or the international treaties ratified or signed by Guatemala, are imprescriptible or are not subject to an extinction of criminal liability.

Proceedings

25. The judicial proceedings for related common crimes shall be consistent with guarantees of due process, shall be expeditious and adversarial, and shall comprise the following stages:

(i) If the Public Prosecutor's Office or a judicial authority is to try one of the crimes referred to in paragraphs 22 and 23, it shall transfer the case immediately to the appeals court division having jurisdiction in the matter. The court shall notify the aggrieved person, defined as such in article 117 of the Code of Criminal Procedure, the Public Prosecutor's Office and the defendant, ordering them to appear within the same period of 10 working days.

(ii) After this period has elapsed, the court shall have five working days in which to issue a reasoned order declaring the extinction valid or invalid and, where appropriate, dismissing the proceedings. If, after the period for notification of the parties has elapsed, the court feels that it needs additional information in order to reach a decision, it shall convene an immediate oral hearing with the sole participation of the parties, at which it shall receive relevant evidence, hear statements by the parties or their lawyers and,

immediately thereafter, issue a reasoned order declaring the extinction valid or invalid and, where appropriate, dismissing the proceedings. The oral hearing shall be held within 10 working days after the end of the period for notification of the parties. At least three days shall elapse between the summons and the hearing.

(iii) An appeal against the court's order shall be admissible only if it is submitted in writing, alleging grievances, within three days from the date of the last notification, by any of the parties having a legitimate interest in the case. If the appeal is declared admissible, the case shall be referred immediately to the amparo and preliminary judgements division of the Supreme Court, which shall decide within one week, without further hearings, to uphold, revoke or amend the contested order. The Supreme Court's decision shall not be subject to any form of appeal.

26. No coercive measures, such as committal orders, pretrial detention, measures in lieu of pretrial detention, remand or arrest shall be ordered during the proceedings. The alleged perpetrators, accused persons or defendants may be represented during the proceedings by their lawyers.

27. Upon conclusion of the proceedings, a certified copy of the entire case record shall be transmitted to the Clarification Commission.

Demobilization

28. In order to foster compliance with the demobilization of URNG members stipulated in the Agreement on the Definitive Ceasefire, the National Reconciliation Act shall establish the complete extinction of criminal liability for persons who perpetrated, abetted or were accessories to the crimes defined in articles 398, 399, 402 and 407 of the Penal Code and articles 87, 88 and 91 to 97, paragraph (c), of the Arms and Munitions Act and who committed such acts up to the date on which their demobilization was completed in accordance with the terms, conditions and time-limits stipulated in the aforesaid Agreement. The date on which that demobilization was completed shall be communicated officially by the United Nations verification authority.

Documentation

29. As a result of the conditions in which the internal armed conflict took place, many URNG members have no personal documentation. This limits the exercise of their civil rights and duties. To facilitate an immediate solution to this problem, the Government undertakes to sponsor in the Congress of the Republic the corresponding amendments to the Act on the Personal Documentation of the Population Uprooted by the Internal Armed Conflict (Decree 73-95). Such amendments, in addition to solving the documentation problems of uprooted population groups, shall resolve the lack of personal documentation of URNG members. The Congress shall be asked to consider and resolve this issue in the two months following the signing of the Agreement on a Firm and Lasting Peace.

Temporary documentation

30. Pending completion of the procedures required for the issue of permanent personal documentation, the verification authority shall be asked to issue temporary documentation for demobilized combatants and other beneficiaries of the Agreement on the Basis for the Legal Integration of URNG.

Other documentation

31. The procedures for naturalization of children born abroad to Guatemalans belonging to URNG shall be expedited.

Other legal provisions

32. The Government undertakes to sponsor in the Congress such legal amendments as are needed to permit full compliance with this Agreement.

B. Political area

33. The Parties undertake to promote a climate of tolerance, openness and plurality which will foster reconciliation and understanding.

34. After the signing of the Agreement on a Firm and Lasting Peace, URNG members, like all other citizens, shall enjoy the full exercise of all their fundamental rights and freedoms (including freedom of organization, movement and residence and the right of political participation) and shall pledge to fulfil all their duties and obligations.

35. The Government considers that the transformation of URNG into a political party duly accredited with the corresponding bodies is a contribution to the strengthening of the rule of law and to the consolidation of a pluralist democracy.

C. Security area

36. The Government undertakes to adopt administrative measures to guarantee the necessary conditions for the effective exercise of the civil rights of URNG members, particularly the rights to life, security and physical integrity. Respect for this undertaking shall be subject to special verification by the international verification authority, which may arrange for URNG members to be accompanied temporarily when the need arises.

37. The Government shall pay particular attention to any complaint of acts or incidents that threaten the safety of URNG members.

D. Socio-economic area

38. In the socio-economic area, the integration programme shall cover the following spheres:

Vocational guidance and training

39. URNG members shall receive vocational guidance and assistance during the demobilization phase, and subsequently if necessary. Once agreement is reached on the kind of economic activity in which they are to engage, they shall be eligible for specific programmes of technical and vocational training.

Education

40. The Government pledges to take the necessary administrative action for the recognition, equivalency rating, validation and legalization of formal and non-formal education completed by URNG members, using appropriate evaluation and equivalency rating mechanisms.

41. During the initial integration period, specific literacy, post-literacy and intensive technical training subprogrammes shall be launched.

42. As part of integration subprogrammes, URNG members may, with the Government's cooperation benefit from grants, scholarships or any other mechanism to help them continue their education.

43. The Parties request international cooperation in implementing these provisions on education, to which end the technical recommendations to be made by the Integration Foundation shall be taken into account.

Housing

44. During the initial integration stage, the Special Integration Commission shall promote appropriate housing conditions for URNG members who require it in order to carry out the corresponding subprogrammes and projects, with special emphasis on the needs of demobilized combatants. Before the end of the initial integration phase, the Special Commission shall pay special attention to guaranteeing access to housing for demobilized URNG members who settle in rural areas and to providing proper credit facilities for those settling in urban areas.

Health

45. In the demobilization phase, combatants gathered at assembly points shall receive a medical check-up. The necessary action will be taken to treat cases identified by the check-up either in the camps or locally. The Special Commission will ensure that patients who require further treatment are referred to the corresponding services. This subprogramme shall be carried out in cooperation and consultation with the URNG medical team.

Economic and production projects

46. The Parties agree that the integration of URNG members into civilian life requires that they participate actively in production on a basis of dignity, development and legality. To that end, the Parties agree that the Special Commission and the Foundation shall support projects for expanding production

and generating employment in urban and rural areas which contribute to the fulfilment of this Agreement.

47. The orientation of such projects shall be in keeping with the provisions of the Agreement on Social and Economic Aspects and the Agrarian Situation. Projects for the expansion of production shall be implemented in keeping with the plans and needs of the communities in which they are to be carried out and in consultation with them.

48. The Government, according to its financial capacities and the technical and financial support provided by international cooperation, shall provide the necessary start-up resources for these projects. It shall facilitate access to means of production, technical advice, credit and marketing channels on the same terms as for other similar projects. It also pledges to take the necessary action to facilitate and legally recognize the forms of organization required to promote these economic activities. Programmes involving individually- or collectively-owned land shall be processed through the Land Trust Fund, on the same terms as other applicants.

E. Cultural area

49. Since a large proportion of URNG members are of Mayan origin, the Parties agree to stipulate that the integration programme must be implemented in conformity with the Agreement on Identity and Rights of Indigenous Peoples.

F. Special subprogrammes

Subprogramme for disabled persons

50. As a result of the internal armed conflict, a sector of the population is disabled and, as one of the most vulnerable and most severely affected groups, requires special priority attention under the programme envisaged in this Agreement.

51. The integration of this group is a more complex matter, because of the personal and social impact of their disability. As a result, specific projects will have to provide proper professional care for their rehabilitation and access to education and training so that they can be genuinely integrated into social and productive life in decent conditions.

Legal assistance

52. The integration programme shall provide for URNG members to receive legal assistance in dealing with the legal aspects of their integration.

Family reunification

53. The Parties agree to take all necessary measures to enable URNG members to be reunited with their families. The Government undertakes to extend all necessary facilities to that end.

54. The Government undertakes to cooperate with the Clarification Commission on matters relating to the issue of detained and disappeared URNG members and to contribute whatever resources, relevant measures and information might lead to the recovery of the remains of URNG members, including URNG combatants who died in combat.

IV. INSTITUTIONAL ARRANGEMENTS

Initial integration

55. This phase shall be financed with resources from the Guatemalan Government and contributions from the international community.

56. The Parties agree to create a Special Integration Commission, which shall consist of an equal number of representatives from the Government and URNG and, in a consultative capacity, representatives from donor and cooperating countries and international cooperation agencies.

57. The Commission shall be set up within 15 days following the signing of the Agreement on a Firm and Lasting Peace and the Government shall issue the corresponding government decree to that effect.

58. Once it is set up, the Commission shall be responsible for coordinating the integration programme, for taking decisions on the allocation of funding to its contingent subprogrammes and projects and for raising technical and financial resources. The Parties agree that the programme's execution shall conform to the objectives and principles of this Agreement.

59. In order to perform its functions, the Special Commission shall, by means of specific rules to be adopted no later than 30 days after it is set up, organize its responsibilities in the areas of coordination, financial management and decision-making with respect to subprogrammes and projects arising out of this Agreement. The Special Commission shall likewise identify in consultation with donor and cooperating countries and agencies, appropriate financial mechanisms, including the possibility of trust funds, to facilitate the flexible and effective implementation of the integration programme.

Definitive integration

60. Additional specific projects for URNG members shall be the responsibility of the Integration Foundation. URNG undertakes to set up that Foundation in the 90 days following the signing of the Agreement on a Firm and Lasting Peace. The Government undertakes to expedite the procedures for setting up the Foundation. The Parties call on international cooperation to provide technical and financial support to ensure the success of the definitive integration phase.

V. FINAL PROVISIONS

First. This Agreement forms part of the Agreement on a Firm and Lasting Peace and shall enter into force when the latter is signed, with the exception of any specific provisions which may have entered into force prior to that date.

Second. In accordance with the Framework Agreement, the Parties request the Secretary-General of the United Nations to verify compliance with this Agreement.

Third. This Agreement shall be widely publicized.

Madrid, 12 December 1996.

For the Government of Guatemala:

(Signed) Gustavo PORRAS CASTEJÓN

(Signed) Otto PÉREZ MOLINA
Brigadier-General

(Signed) Richard AITKENHEAD CASTILLO

(Signed) Raquel ZELAYA ROSALES

For the Unidad Revolucionaria Nacional Guatemalteca:

(Signed) Commander Pablo MONSANTO

(Signed) Commander Rolando MORÁN

(Signed) Carlos GONZALES

(Signed) Jorge ROSAL

For the United Nations:

(Signed) Jean ARNAULT

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Financing and liquidation of the United Nations Transitional Authority in Cambodia

Comprehensive evaluation of all aspects of the administration and management of the United Nations Transitional Authority in Cambodia (UNTAC)

Report of the Secretary-General

Summary

The establishment of the United Nations Transitional Authority in Cambodia (UNTAC) marked the beginning of the rapid expansion of peacekeeping operations in terms of both number and scope, an expansion that has only recently ended. As such, UNTAC was a learning experience for all involved, in the field, at United Nations Headquarters and in the international community as a whole. The present report encompasses the planning, establishment, administration and management of UNTAC, and provides information in some detail on the various administrative and logistic areas. It outlines the problems faced, the attempts to overcome those problems at the time, the lessons learned from them and new policies and procedures instituted at Headquarters and in the field as a result of the UNTAC experience.

A number of the constraints faced by UNTAC, such as the devastated infrastructure and the need to protect mission personnel from the dangers of war, landmines and banditry, are in fact common to the majority of peacekeeping operations. These factors cannot be eliminated, but the experience gained in UNTAC has resulted in a greater awareness of the need to take such constraints into account during the planning of a mission and in its subsequent operations. One other major constraint faced by UNTAC continues to confront peacekeeping operations today: the severe shortage of experienced

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personnel. The present report clearly describes the consequences of this problem, as well as the only partially successful efforts to overcome it, including revised and streamlined recruitment procedures and provision of training. Continued improvements in this and other areas will require not only the energy and commitment of the staff of the United Nations, but also the firm support of Member States.

The present report, concentrating as it does on the UNTAC experience, is but one facet in the efforts to improve the capacity of the United Nations for peacekeeping. It is, nevertheless, linked to the larger efforts, including on such issues as measures to improve the response time for the establishment of a mission, procurement reform and assets management.

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I. Introduction

1. The present report is submitted in accordance with paragraph 11 of General Assembly resolution 48/255 of 26 May 1994, by which the Secretary-General was requested to provide a comprehensive evaluation of all aspects of the administration and management of the United Nations Transitional Authority in Cambodia (UNTAC) with a view to utilizing the experience in other peacekeeping operations. The experience gained through this unique peacekeeping operation, the largest and most complex in the history of the United Nations, which has been augmented through subsequent operations, has prompted extensive organizational restructuring, administrative revisions and other policy changes within the Organization. Publication of this report at the present time has thus provided the opportunity to reflect on the lessons of UNTAC and reactions to the problems identified therein, thereby resulting in a more thorough and comprehensive review than could have been presented in the immediate aftermath of the mission.

2. The Advisory Committee on Administrative and Budgetary Questions, in paragraph 19 of its report on the financing and liquidation of UNTAC (A/49/867), subsequently requested the inclusion in the present report of information on losses, through any means, of assets of peacekeeping operations that have occurred in the last three years. It is the intention of the Secretary-General to submit a separate report on that issue and on related measures taken by the Secretariat. The present report therefore focuses on the principal issues encountered in the administration and management of UNTAC, as well as on the lessons learned from the UNTAC experience, which are incorporated throughout.

3. UNTAC was established by the United Nations to implement the Paris Agreement on a Comprehensive Political Settlement of the Cambodia Conflict, central to which was the preparation and conduct of free and fair general elections for a constituent assembly in Cambodia. UNTAC was therefore designed in such a way as to establish the organizational elements required to ensure a neutral political environment conducive to the conduct of the elections, and included seven components with the following responsibilities: (a) organization and conduct of free and fair general elections; (b) stabilization of the security situation and confidence-building through the regrouping, cantonment and demobilization of the forces of the four factions; (c) promotion and protection of human rights; (d) supervision and control of the administrative structures of the country until the establishment of a new government; (e) maintenance of law and order through supervision of the civilian police of the four factions; (f) repatriation and resettlement of refugees and displaced persons; and (g) initiation of the process of rehabilitation.

4. From November 1991 to March 1992, UNTAC was preceded by the United Nations Advance Mission in Cambodia (UNAMIC), the establishment of which marked the start of a transitional period following the Paris Agreement. The presence of UNAMIC in Cambodia helped to preserve the momentum of the peace process, though it can be argued that it was less successful at laying the groundwork for the enormous mission that followed. The UNTAC mandate, which commenced in March 1992, was for a period not to exceed 18 months, with elections to be held no later than May 1993.

II. Evaluation of the administration and management of the United Nations Transitional Authority in Cambodia

A. Overview

5. Although it was clear that the Organization required much more extensive planning, preparation and mobilization of resources before launching an operation of the size and scope of UNTAC, the decision was taken nevertheless to proceed in order to sustain the fragile peace process in Cambodia. This fact, together with the many others detailed below, had a considerable impact on how UNTAC was eventually managed and administered.

6. Of the more significant factors affecting the operation, two conditions specified in the Secretary-General's implementation plan (S/23613) as essential to the success of UNTAC were not met from the inception of the mission: the full cooperation of the Cambodian parties; and the freedom of movement of UNTAC personnel. While this had a great impact on the ability of the mission to deploy and to perform the full range of functions foreseen in its concept of operations, UNTAC was able to overcome these constraints.

7. The initial deployment of troops was designed to facilitate the cantonment, disarmament and demobilization process, as mandated by the Security Council. Troops were stationed throughout the country, with emphasis on those areas that had been most affected by the civil war. However, as a result of the refusal of the Party of Democratic Kampuchea (PDK) to honour its obligations under the Paris Agreement, UNTAC was not able to deploy into the areas under its control, and the disarmament and demobilization of the forces could not proceed as planned. By early 1993, despite the continued lack of cooperation on the part of PDK, as well as security transgressions by other parties, UNTAC redeployed its troops in such a way as to provide security for the electoral process. Accommodation and other facilities had to be relocated, and plans for infrastructure and logistic support had to be adjusted. In addition, although it was planned that 50 per cent of the troops would be repatriated following the completion of the demobilization process and the voter registration campaign, with a further reduction to take place immediately following the elections, the security considerations prompted by the non-cooperation of PDK required the retention of all military personnel until months after the elections, as well as the deployment of additional air support and other capabilities both shortly before and during their conduct.

8. Similarly, while it had been expected that the freedom of movement and communications of UNTAC personnel would be seriously affected by the devastated condition of Cambodia's limited infrastructure, movement was further restricted to a significant extent by the warring factions. Similar restrictions were imposed by the millions of landmines and frequent violations of the ceasefire, as well as banditry in the countryside, conditions that prevailed throughout the deployment of UNTAC.

9. In analysing the successes and failures of UNTAC, it is also imperative to take into account the magnitude and complexity of the mandated tasks and the limited time-frame within which they were to be accomplished. With only seven months before the start of the monsoon rains, and in the face of considerable obstacles, a huge and complex mission had to be organized, established and made operational from the ground up. The mission's organizational structure and chain of command had to be developed, and a multinational operation consisting of more than 22,000 troops, military observers, civilian police and civilian personnel had to be mobilized, recruited, deployed and accommodated in Cambodia. In addition, large numbers of local Cambodian personnel, including over 50,000 Cambodian electoral personnel, over 1,000 interpreters and hundreds of drivers, had to be recruited and trained, and dozens of offices had to be established throughout the country. Support systems for the communications, transport, supply, engineering and medical needs of these personnel had to be organized and put in place, requiring, *inter alia*, the procurement, importation, distribution and construction of hundreds of prefabricated buildings, provision and maintenance of thousands of vehicles, generators and computers, installation and maintenance of water purification systems and a large amount of other necessary equipment. Last, but by no means least, the timely availability of food, fuel, potable water, medicines and other required supplies had to be ensured.

10. The timetable for establishing operations was further constricted as a result of the delayed deployment of both military and civilian personnel to the mission. At the end of April 1992, the total number of troops deployed in Cambodia was 3,686 out of the projected 15,900 (23 per cent of the total), 176 out of 3,600 civilian police monitors (less than 5 per cent) and 172 out of 1,227 authorized international civilian personnel (14 per cent). Although significant deployments of military personnel followed mid-year, it was only towards the end of 1992 that full deployment was more or less achieved, by which time the registration of voters was nearly complete. In fact, it was only five months before the elections that UNTAC was able to reach full military strength, while the international civilian staffing never reached more than 85 per cent of the authorized level (see annexes I to VIII).

11. Standard military practice dictates the placement of military support elements such as logistics and engineering elements in advance of the arrival of infantry battalions. This is especially important in the

context of a peacekeeping mission, where such elements are provided by different Member States, and none of the battalions is self-sufficient beyond a brief period upon arrival. Thus, the delays in deployment to UNTAC, in particular the logistics and engineering support elements (see annexes IV and V), had serious implications in terms of the military's operational effectiveness, as well as in terms of a diminished level of support to the entire mission. On the civilian side, the cumulative effects of delayed arrival and insufficient numbers of qualified personnel during the start-up and mid-phase of the operation seriously affected the mission throughout its existence, particularly in the area of administrative support, where monitoring and control functions suffered in favour of more urgent operational requirements (see annexes VII and VIII).

12. The magnitude and complexity of the tasks to be accomplished by UNTAC are vividly illustrated by the constraints that faced the mission: non-compliance or non-cooperation by one or more of the Parties to the Agreement; the debilitated state of the local infrastructure; the requirement to accomplish diverse and highly complex activities within a very limited period of time; the dangers imposed by hostile attacks, landmines, banditry, adverse climatic conditions and diseases; inadequate time and information for satisfactory planning for the mission; concurrent and competing demands for support and staff from other missions, especially the United Nations Protection Force (UNPROFOR) (February 1992) and the United Nations Operation in Somalia II (UNOSOM II) (March 1993); and time-consuming start-up procedures, particularly for procurement and the recruitment of staff. Nevertheless, despite these tremendous difficulties, more than 360,000 refugees were repatriated, the electoral legislation was completed and promulgated, some 4.6 million voters were registered, representing nearly 100 per cent of those estimated as eligible, and, in May 1993, 4.2 million Cambodians cast their ballots, expressing their will in a democratic election. In judging the performance of UNTAC, it is essential not to lose sight of this fitting climax to a costly international effort.

B. Planning

13. Reliable mission planning requires not only adequate human and financial resources, but also availability of and access to the necessary information, as well as a reasonable timetable for its collection and analysis. The efficient, well-timed implementation of an operational plan can only be carried out if, *inter alia*, the related planning assumptions have been formulated on the basis of accurate and comprehensive data.

14. Advance planning for UNTAC was inadequate, despite the dispatch of several fact-finding missions to investigate local conditions in Cambodia while the peace process was still in its early stages. The need to coordinate with the four parties to the conflict, which were widely separated both politically and physically, and the complications caused by the shattered or non-existent infrastructure of the country, resulted in information that could be considered neither comprehensive nor fully reliable. As indications of improving political dialogue increased, an Intra-Secretariat Task Force on Cambodia was established in February 1990 to review likely scenarios and potential roles of the Organization in an eventual peacekeeping mission. Notwithstanding these efforts, much of the information required remained unavailable or not forthcoming from the Cambodian factions through the time of the adoption of the Paris Agreement in October 1991, and the mission implementation plan (S/23613) had to be formulated in February 1992 on the basis of the limited information available. In proposing the plan, the Secretary-General made it clear that the information obtained could not be regarded as complete and therefore the assessments regarding priorities and deployment would be subject to change.

15. UNAMIC was established shortly after the signing of the Paris Agreement, and comprised civilian and military liaison staff, a military mine-awareness unit, logistics and support personnel, and later a mine-clearing programme. However, the only planning facility within UNAMIC was dedicated to planning for the electoral process. It took eight months of concentrated work by the election planning team to complete the compilation of a statistical report on which the plans for voter registration and subsequent polling were finalized. There is no doubt that the careful planning of the electoral process, based on experience from previous electoral missions, particularly the United Nations Transition Assistance Group (UNTAG) in Namibia, and painstaking collection of local information in Cambodia, was fundamental to

the successful organization of the elections. Similarly, the accomplishments of the repatriation component were largely owed to the cumulative knowledge of the Office of the United Nations High Commissioner for Refugees (UNHCR) and the specific experience gained from the long presence of the United Nations Border Relief Operation (UNBRO, later subsumed under UNHCR) on the Thai-Cambodian border, providing humanitarian assistance to the very refugees and displaced persons that were to be repatriated and resettled. The rest of the mission did not have the benefit of such experience, institutional memory or detailed planning activity.

16. The experience in UNTAC showed that the mission would have benefited from the early establishment of a serious planning capability as part of the advance mission's terms of reference. In order to rectify this situation for the future, guidelines have been developed for the collection of information and development of comprehensive concepts of operations at the stage of the advance technical survey mission, which process has also been strengthened by incorporating a broader range of functional specialists. Furthermore, efforts are being made to identify the key support personnel for a mission at an early enough stage to enable them to participate in the advance surveys and the development of the mission's implementation plan, the execution of which will then become their responsibility. It must be recognized, however, that in the context of UNTAC, even had a comprehensive and perfectly accurate operational plan existed, the prevailing conditions still would have hindered the timely provision of administrative and logistical support. It was well understood far in advance of the deployment of the mission that the budget approval process and procurement procedures in place at the time could not accommodate implementation within the known time constraints. In this respect the UNTAC experience was especially useful in underlining the policy and procedural adaptations that would be required more effectively to prepare the Organization to undertake further peacekeeping operations.

C. Coordination

17. A large, complex field operation such as UNTAC demands the systematic coordination of efforts at many levels, including those within the mission and those between the mission and responsible offices at Headquarters and other organizational entities. A clear understanding of the mandate of the mission is essential on all sides, and all concerned need to keep in mind the interdependent nature of the various programmes and activities involved in reaching the common goals. All of these relationships are affected by the availability of resources and professional expertise.

18. During the early stages of UNTAC, the units at Headquarters responsible for supporting peacekeeping missions were located in several offices and departments. In the context of the overall restructuring of the Secretariat, some of those organizational elements were consolidated in 1992 to form the Department of Peacekeeping Operations. In view of the close functional relationship between the Department and the Field Operations Division, the latter was transferred from the Department of Administration and Management to the Department of Peacekeeping Operations in 1993, becoming the Field Administration and Logistics Division. The result was a more cohesive structure, better equipped to respond to exigencies in the field during a period of considerable expansion of peacekeeping activities.

19. At UNTAC headquarters in Phnom Penh, overall coordination within the mission was achieved through daily senior staff meetings attended by the heads of components and conducted by the Special Representative of the Secretary-General. Special inter-component meetings were also regularly convened to address coordinated support of common programme goals. It was extremely useful, in this regard, that the mission structure incorporated a strong management and coordination function in the designation of a Deputy Special Representative of the Secretary-General. Systematic coordination at the provincial level, however, proved to be more difficult.

20. Experience has shown that the inherent complexity of centrally managing a large number of organizational entities, dispersed throughout a wide geographical area (which would apply to many or all of the UNTAC components), requires a well-defined institutional framework in which the links between the various components in the area as well as those to the mission headquarters are clearly established. The

organizational structure of UNTAC included 21 provincial/municipal centres, some 176 districts, 23 checkpoints at the borders, ports, and airports, liaison offices in Thailand, Laos and Viet Nam, as well as the headquarters in Phnom Penh. The various components were each represented at some level in most UNTAC locations within Cambodia. This large number of offices, combined with what were often serious limitations on freedom of movement and communications, called for the highest possible level of decentralization of activities and administrative authority. Although this requirement was recognized by UNTAC, the lack of sufficient qualified civilian personnel precluded the institution of a fully effective decentralized structure.

21. As a stopgap measure, Field Service Assistants were assigned to administrative functions in each of the provincial/municipal centres. This arrangement improved the overall coordination of administrative support, and subsequent mission budgets have included provision for the assignment of regional coordinators/field administrative officers at an early stage of an operation. By delegating the authority to take timely decisions on matters routine to the regions, the efficient and cost-effective utilization of resources and the coordination of the needs of various components is enhanced. The identification of sufficient numbers of qualified staff to fill these positions on short notice, however, remains a problem.

22. Another vital aspect of coordination in UNTAC was the relationship between the military and civilian components. The working relationship between UNTAC components, particularly between the military and civilian elements, could have benefited from the early introduction of a clearly formulated institutional framework for cooperative efforts. The implementation plan had envisaged the institution of an Integrated Support Service in the UNTAC Division of Administration, designed to consolidate logistic and support services under one organization so as to respond to mission priorities as they arose and to provide mission-wide coordination. Such a service would have consolidated the supply and support systems of the civilian and military components, including movements, engineering and buildings management services, communications, logistics, field service administration, security and transport. However, the delays in deployment of all categories of personnel to UNTAC, including the military support elements, precluded the early establishment of such a service. As a result, the military component was required to remain self-sufficient longer than anticipated, and when the military support elements arrived, their priority focus not unexpectedly was on military requirements.

23. A telling illustration of this situation was in the area of communications, where the military Force Communications Unit was introduced prior to the delineation of an integrated structure, and therefore developed its communications system independently of the broader mission requirements. The inherent duplication of effort and the incompatibility of parts of the system became a critical issue immediately prior to the elections, as the overall system had become increasingly congested and unresponsive. A coordinated emergency team was able effectively to reconfigure the network structure and allocation of frequencies, as well as reprogramme the diverse equipment as required for fully integrated operations during the crucial election period. The need for this enormous effort could have been prevented by the early introduction of a clearly defined, coordinated communications structure at the outset of the mission had the necessary personnel been available.

24. Following this experience in UNTAC, efforts were made to establish integrated support structures as a matter of priority in subsequent missions, including the United Nations Operation in Mozambique (ONUMOZ), UNPROFOR, the United Nations Assistance Mission in Rwanda (UNAMIR), the United Nations Angola Verification Mission III (UNAVEM III) and the United Nations Mission in Haiti (UNMIH). The introduction and continuing refinement of these organizational structures has minimized many of the difficulties in coordination and support activities experienced in UNTAC and earlier missions. In addition, the concept of an integrated support structure has been included in the draft Operation Support Manual. Unfortunately, while the consequences of not providing the personnel necessary to set up such a structure from the outset have been amply demonstrated, so also have the constraints facing the Organization in its efforts to provide the necessary staff.

D. Administrative Services

1. Human resources

25. A fundamental requirement of any peacekeeping mission is competent, committed and experienced personnel. The more immediate staffing needs must be identified at the outset, including a core of key personnel with managerial and organizational skills and experience who are capable of working under extreme pressure in what are often difficult field conditions. However, because of the expansion of peacekeeping activities since 1991, and compounded by recent retrenchment exercises, the Secretariat does not always have the capacity to assign the required personnel to peacekeeping missions from within the Organization (including the various offices and related agencies within the United Nations common system) without jeopardizing other mandated activities, particularly when large numbers of staff are required in a very brief time-frame.

26. The difficulty in identifying qualified staff was exacerbated in the case of UNTAC by the broad range of unique requirements in terms of skills and experience, and the large numbers of such personnel who needed to be identified and assigned within an extremely limited period of time. For example, the civil administration component required some 150 international specialists to supervise and monitor the Defence, Foreign Affairs, Finance, Public Security and Information Ministries of the administrative structure of Cambodia. Such numbers of experienced staff with the requisite qualifications were simply not available within the Organization.

27. At the same time, the Organization's established recruitment procedures, which were developed for use in a stable, Headquarters context, proved to be far too time-consuming and labour-intensive to meet the needs of a mission of the size of UNTAC under such time constraints. In addition, neither the Office of Human Resources Management nor the then Field Operations Division at Headquarters had sufficient staff to process the necessary recruitment actions. In assembling the staff for UNTAC, it was therefore necessary to identify alternative sources of qualified personnel from outside of the United Nations common system, including regional professional markets, a roster of retirees, United Nations volunteers and civilian personnel on loan from Governments, an approach that was encouraged by Member States. Contractual services were also used by UNTAC in the technical areas, such as construction projects and maintenance of vehicles, generators and communications equipment.

28. An alternative source of personnel that proved to be particularly effective in UNTAC was the United Nations Volunteers Programme. Initially, United Nations volunteers were assigned to the electoral component, where they constituted the overall majority of the international electoral staff and the sole staff, along with United Nations civilian police elements, in the district-level operations. Later, some volunteers were also assigned to perform support functions in the areas of logistics, transport, administration and medical services. The success of this recruitment effort was brought about by a cooperative effort between UNTAC and United Nations Volunteers headquarters at Geneva, with UNTAC providing job descriptions but not otherwise becoming involved in the selection process, and United Nations Volunteers at Geneva activating its worldwide network and compressing its recruitment and training procedures to meet the requirements of the mission. It should be noted, however, that the experience in UNTAC indicated that the usefulness of United Nations volunteers is enhanced when they work closely with United Nations staff members, especially when their functions require assignment in remote, high-risk areas. Nonetheless, the employment of volunteers proved to be a highly practical and cost-effective means of providing essential staff for the mission. Since UNTAC, United Nations volunteers have been used to varying degrees in most peacekeeping operations, and a Global Memorandum of Understanding between the United Nations Secretariat and the United Nations Volunteer Programme to systematize the participation of United Nations volunteers in future peacekeeping operations is currently being finalized.

29. Given the limited availability of qualified personnel and the above-noted difficulties encountered in recruitment for UNTAC, fewer than 25 per cent of the officially authorized staff had arrived in the mission nearly three months after its establishment (see annex VII), and only 50 per cent had arrived

within the first six months of operations. By the mid-point of the mission, only 75 per cent of the authorized international staff were in the mission area, and that percentage rose to about 85 per cent only at the highest point. A major consequence of the delayed arrival of essential personnel was the steady accumulation of tasks that had to be deferred or, in some cases, neglected entirely in favour of more pressing priorities. Thus, many of the negative consequences of late or slow deployment and lack of qualified personnel in adequate numbers during the start-up and mid-phase were felt through the entire mission and indeed beyond, as liquidation tasks were complicated by lack of accurate records.

30. The need to field such large numbers of personnel within the highly restricted time-frame also resulted in some inefficiencies in selection. For example, although basic requirements were stipulated in soliciting personnel from the diverse sources, including Member States, some personnel arrived in the mission who spoke neither English nor French, which were the working languages of the mission. This was particularly problematic for the civilian police, for which demand in peacekeeping operations consistently exceeds the available supply. Efforts have since been made to emphasize to Member States the importance of providing personnel who meet the requisite qualifications. In cases where government-provided personnel prove to be unqualified, their immediate repatriation and replacement is arranged at the cost of the contributing Government. This provision is now clearly specified to Member States in the "Guidelines for the Deployment, Transfer, Rotation and Extension of United Nations Military Observers and Civilian Police Monitors", distributed in 1995.

31. To address the difficulties experienced in deploying qualified civilian police personnel, a pilot project was recently undertaken to dispatch Selection Assistance Teams to Member States that were to provide large numbers of civilian police to the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium (UNTAES) and the United Nations Mission in Bosnia and Herzegovina/International Police Task Force (UNMIBH/IPTF). The teams assisted the Governments concerned in screening the driving and language skills of the selected civilian police, and a substantial number of unsuitable candidates were removed from the list prior to their deployment to the missions. As a further measure, a number of regional workshops are planned for representatives of Member States responsible for the selection of military observers and civilian police for peacekeeping mission assignments, in order to familiarize them more effectively with the training and qualifications criteria established by the Organization. These arrangements are facilitating the deployment of the most qualified personnel and make it possible to avert the associated costs and loss of operational effectiveness that have, in the past, resulted from the assignment of unqualified individuals or their early repatriation.

32. The local staffing requirements of UNTAC also presented enormous difficulties for the mission, particularly in recruiting and training the numbers required for monitoring the electoral process. The election plan called for the phased placement of nearly 60,000 local United Nations polling officers throughout the country, starting just six months after the establishment of the mission. Meanwhile, recruitment of more than 5,000 regular local staff for the mission was proceeding slowly, given the constraints of the limited number of available administrative personnel to conduct the process, not to mention the rather limited pool of qualified individuals in Cambodia after the disruptions of the previous decade. Efforts to recruit local staff began during the UNAMIC period, with considerable attention being paid to the displaced population under United Nations care at the Thai border. Given their long association with the programmes of the United Nations and non-governmental organizations, the displaced-persons camps were a good source of relatively educated English- and French-speaking Cambodians early in the recruitment process, prior to their repatriation. Recruitment and training of the core local staff continued even as the emphasis shifted to the massive requirements for the election period. Nonetheless, the mission succeeded in recruiting, training and deploying more than 49,500 local polling officers (or 83 per cent of the authorized number) in time for the elections in May 1993.

33. A further challenge faced by the Organization in establishing UNTAC was the identification of possible troop-contributing Governments, including those willing to provide civilian police officers. Of 54 Member States attending the first meeting of possible troop contributors, 32 were ultimately in a position to send troops to Cambodia. The final pre-deployment meeting was held in April 1992, just one month prior to the scheduled deployment of about 16,000 troops, with the list of countries contributing support elements (logistics, medical, postal, movement control and engineers) still under discussion. Indeed, as referred to

above, the result was that most infantry battalions were deployed before the engineering units, and the logistics battalion and medical elements were not fully operational until mid-September 1992. The civilian police component, which was to be deployed prior to the commencement of the registration process in October 1992, reached its full strength of 3,600 only in early 1993 (see annex VI). The implications of these delays, coupled with the difficulties of reception and deployment within the country, were significant.

34. The deployment delays experienced in UNTAC highlighted the need for a functioning system of stand-by arrangements, as introduced in the Secretary-General's "Agenda for Peace", whereby Member States would agree to provide certain numbers and types of troops and equipment to a peacekeeping operation on short notice. The Department of Peacekeeping Operations has since devoted a great deal of energy to negotiating such arrangements with Member States, and has achieved considerable success in organizing, in principle, coverage of the primary troop requirements for a rapid deployment. Continuing refinements in the specifications of the various requirements and their component functions have also enabled broader participation of Member States with varying capabilities in these arrangements. Nevertheless, it must be stressed that the effectiveness of any stand-by arrangements is wholly dependent upon the willingness of the participants to act when called upon.

35. UNTAC staff in all categories could have benefited from a more structured and rigorous induction and orientation programme upon arrival in the mission area. In cases where Governments provided training prior to deployment, performance was enhanced considerably. Some training was organized in Cambodia, particularly for civilian police. However, the mission's compressed timetable could not sustain any intensive on-the-job training for a large number of personnel. While the ideal situation would be for staff to receive training prior to deployment, this has not proved to be realistic given the requirement for personnel to be deployed to the field as rapidly as possible. Most missions now provide some sort of induction and training to all categories of personnel upon arrival, usually including a brief history of the conflict and mandate of the mission, an introduction to local conditions and culture, and mine-awareness training, and this has proved to be well worth the effort and time invested. However, staff must have the minimum skills and knowledge prior to deployment, particularly with respect to standard computer applications (see paras. 46 and 47 below).

36. As part of the ongoing process of improving the capacity of the United Nations for peacekeeping, the Secretariat has developed standard curricula for training personnel for peacekeeping and has issued a training manual for military personnel to Member States. Similarly, the procedures and practices of United Nations operations have been compiled in handbook forms for civilian police monitors and military observers, as have curricula and standard procedures for training, and these have recently been distributed to the existing peacekeeping missions and Member States for reference and use. A growing number of Member States now have national training programmes. A useful study has been carried out by the Secretariat to assess the state of current training programmes to identify means of strengthening them, including alternative ways to ensure that military and civilian personnel are given the specialized preparation required for missions (A/48/403, paras. 23 and 24).

37. One of the most successful innovations of UNTAC in terms of human resources was the establishment of a community relations office to deal with the interface between UNTAC and the local population. All missions, but particularly large, multi-dimensional operations, would benefit from this type of initiative.

38. Experience in UNTAC also clearly confirmed the importance of continuity in function for all personnel. In the case of military staff officers and civilian police, with the exception of the component heads, these personnel were regularly rotated out of the mission area every six months and replaced in accordance with established practice. Civilian personnel are also usually given, at least initially, assignments for a period of six months. This loss of institutional memory and experience in the specific mission affects not only the performance of assigned functions but also makes it difficult to assign accountability, which is especially important where support services are concerned. If assignments for longer periods, ideally for the entire duration of a mission are not acceptable to contributing Governments, then partial or staggered rotations could be a partial solution and would certainly solve some of the problems. In the case of civilian staff, serious consideration should be given to securing a commitment on the part of key personnel and their releasing departments, where appropriate, to remain for the entire duration of the mission of perhaps

two years as a minimum. If change is unavoidable, measures to alleviate the situation could include ensuring adequate hand-over periods as well, so that sufficient institutional memory is retained with other staff.

39. As the experience of UNTAC and other missions has proved, human resources management in peacekeeping operations, especially in large-scale operations, will always have an ad hoc element, as an unavoidable consequence of dependency on participating States. The constantly changing mandates of some peacekeeping missions makes it extremely difficult to plan and manage the human resources requirements effectively.

40. Over the course of several years following UNTAC and in light of the experience gained, the Secretariat has been vigorously pursuing measures to resolve outstanding issues and to overcome the many problems encountered by UNTAC and other missions in attracting and retaining highly qualified, experienced and motivated personnel, particularly in those areas falling under the purview of the Secretary-General. This also involves, *inter alia*, improved planning, including the ongoing development of mission (personnel) templates to serve as baseline planning, development of new legal and contractual arrangements and the policy framework, diversification of sources of mission personnel, development of various databases to facilitate establishment of rosters in coordination with other Secretariat units and organizations of the United Nations common system, streamlining of recruitment and medical clearance and improvement of training.

41. Staff members assigned from established United Nations offices had constituted the majority of international civilian personnel of UNTAC, and are prominently represented in other peacekeeping missions. The international civilian staff perform core functions defined as the political direction and the administration in all their facets, as well as support functions in the Professional, Field Service and General Service and related categories. They have the undeniable advantages of continuity and experience in the United Nations setting, including familiarity with the Organization's policies and practices. The Secretariat has focused its efforts on improving the situation with regard to the release and detail of highly competent staff to peacekeeping operations. A new policy framework has been set up to strike a difficult balance between the needs of releasing departments required to cope with an increasing workload with dwindling resources and those of peacekeeping operations, while encouraging staff to serve on missions. Such a policy framework is set forth in a bulletin of the Secretary-General and a series of administrative issuances from the Office of Human Resources Management dealing with staffing of peacekeeping missions and assignment and return from mission detail.

42. Another measure to improve the Organization's capacity to deploy and administer staff for the field missions was the revision and reissue in 1994 of the 300 series of the Staff Rules, to minimize administrative delays in the recruitment of personnel for appointments to missions of a limited duration, at all levels (Professional, Field Service and General Service) (A/48/945, para. 49). These rules simplify and streamline the administration of entitlements of civilian mission-appointed staff, reducing the administrative workload in the mission, as well as the need to refer questions or decisions on entitlements to Headquarters, which has since proven particularly useful in missions with substantial civilian personnel components.

43. While over the last few years the pool of effective management personnel for existing and future missions may have become more extensive, it would be unrealistic to expect that these same personnel will always be available, either at short notice or for long periods, for mission assignments. It is therefore incumbent on the Secretariat to ensure the most rational and effective use of the limited number of qualified and experienced staff available. As such, efforts are made to ensure that available staff are in the mission and position where their services are most needed and will be most useful. For example, when setting up a new mission, a chief administrative officer or key service chiefs may need to be transferred from a mission that is already established and running relatively smoothly, to the new operation. While this may, at times, be detrimental to the ideal of continuity in function, the situation confronting the Organization demands that, occasionally, trade-offs do have to be made.

2. Budget and finance

44. The budgetary and financial problems associated with peacekeeping operations are well documented and have been discussed extensively in various forums both within the Secretariat and at the legislative level. UNTAC provided clear examples of the difficulties faced in mission implementation of multi-faceted operations when constrained by financial practices developed for earlier, relatively small-scale operations. Major issues, including the need for advance spending authority, the cumbersome budget cycle that resulted in systemic delays in the appropriation of adequate funding, related requirements for performance reports before the end of the reporting period when information was not yet available, and the level of unpaid assessed contributions resulting in consistent delays in reimbursements to troop-contributing countries, have been raised and addressed in the aftermath of UNTAC in various reports and resolutions (A/48/403-S/26450, A/48/945, A/49/664 and addenda and General Assembly resolution 49/233). In the context of the present report therefore only the more specific administrative constraints affecting UNTAC will be discussed.

45. Overall financial responsibility in UNTAC was exercised by the Director of Administration. As was the case in other areas, the most serious problems faced were related to the lack of sufficient numbers of qualified staff. This deficiency was critical for UNTAC because of the size of the operation and the complexity of its budget, compounded by problems with the introduction and implementation of three new computerized finance systems, namely Sun Accounts, Sun Business and Progen. The Finance Section's inability to handle fully the initial workload, owing to staff shortages and lack of training in the newly introduced software packages, had repercussions throughout the duration of the mission. Available staff resources in the early stages of the mission were necessarily devoted to the most pressing requirements, with the result that record keeping was often incomplete or poorly maintained, and accountability was compromised. The persistent staff shortage also necessitated a greater reliance on the Field Administration and Logistics Division, Department of Peacekeeping Operations, at Headquarters for such important tasks as the preparation of budgets and performance reports, activities that would, under other circumstances, be handled mostly in the field. Only relatively late in the mission was the situation improved, with the arrival of qualified staff in the necessary numbers to address more adequately the current requirements, as well as rectification of past discrepancies.

46. The UNTAC Finance Section also experienced a number of difficulties unique to the situation in Cambodia, such as the complete absence of viable banking facilities outside Phnom Penh. This had enormous implications for the payroll, with tens of thousands of local personnel countrywide whose salaries had to be paid in cash. While presenting additional logistics and security problems for the mission, procedures were implemented whereby the necessary cash transfers and disbursements were effected without losses. In this respect, it is very much to the credit of the UNTAC Finance Section that it was able to organize and execute flawlessly the one-time payment of some 50,000 polling officers following the elections, which entailed the transfer and disbursement of $10.7 million in cash at 150 locations countrywide.

47. The numerous imprest petty cash funds that had to be established for each of the offices and sub-offices throughout the country also necessitated substantial monitoring and accounting tasks, particularly in that the staff members responsible for those funds in the absence of sufficient experienced staff, were in many instances Field Service Assistants without full financial qualifications, or even United Nations volunteers or military officers in a few cases. Insofar as operations in the field required financial support regardless of the administrative staffing situation, the mission had to apply the greatest possible flexibility, mindful of the relevant rules and regulations. The deployment of experienced finance assistants as they became available alleviated some of the problems encountered in the administration and recording of those imprest/petty cash funds. Some of the problems encountered could have been prevented by the establishment of a mobile finance team to provide on-site assistance. However, that proposal was put forward only during the later stages of the mission. Record keeping was further complicated by difficulties with the new computerized finance systems, most critically in the provincial offices, as a result of which records often required complete reconstruction in the Finance Section in Phnom Penh so as to be compatible with the newly implemented central accounting system.

48. It was clear from the outset that an automated payroll and accounting system would be essential for a mission the size of UNTAC. As the Integrated Management Information System (IMIS) was not yet available for use, other alternatives were investigated as stopgap systems to support the mission. Commercial packages were selected that would be immediately usable without substantial technical adjustments to adapt to the particular needs of the mission. The Sun Accounts, Sun Business and Progen software initially installed became the first computerized accounting systems utilized by peacekeeping missions, and proved to be very useful in that context, albeit necessitating some adaptation of existing procedures. Training, however, became critical for the mission, both in the new systems and in the new procedures for utilizing the software, since most staff members were not yet trained in the new systems. As neither the finance nor electronic data-processing staff of the mission had any prior training in the use or support of this software, the mission was compelled to rely on periodic support from Headquarters in both training and maintenance of the system, which could not always be accommodated in a timely manner. Without knowledgeable support staff available on site and versed in the three newly implemented computer systems, many problems were compounded and had the potential to disrupt the entire system, as indeed happened for more than a month in early 1993 until a Headquarters team could be sent to the field to address the problem. Throughout the functioning of the mission, the training issue persisted, owing to the continued late deployment of finance personnel to the mission, since the existing staff was not sufficiently trained to assist or train other users adequately in more than a peremptory fashion and were also preoccupied with their demanding duties. The obvious results were the loss of valuable staff time while staff members were learning the systems through trial and error, providing remedial assistance to new users, and additional workload arising from the need to re-check all inputs and calculations and correct technical errors. Furthermore, these disruptions, coupled with the general shortage of personnel experienced and trained in the newly implemented computerized system, prevented the budget and finance staff from devoting appropriate attention to the timely review of unliquidated obligations and bank reconciliations, and seriously hindered their ability to prepare meaningful budget estimates and performance reports. While most of those problems were eventually addressed through experience and the deployment of the required staff, the corrective actions necessitated substantial additional work.

49. Since UNTAC, the computerized systems for finance and budgeting, as well as the personnel administration and procurement systems, have been emplaced from the very outset of new mission deployment, and efforts are being made to provide prior training in the relevant systems to all international staff assigned to those functions. Before deployment, all computer hardware is installed with the necessary mission software, and the senior staff are provided with laptop computers also installed with the relevant software following their training, to ensure that they will arrive in the mission area with the tools and training they require to perform their functions immediately. Similarly, the electronic data-processing staff assigned to each mission are fully trained in the support of all systems in use by the mission prior to deployment, so that any problems that arise can be addressed or further training assistance provided locally within the mission. Of course, as the number of missions has grown, and lately begun to subside, the experience gained by staff at all levels in the use of these now standard computerized systems has resulted in a much larger pool of qualified staff from which to draw for mission assignments.

50. The introduction of standard computerized systems for finance, personnel and procurement, in addition to streamlining the work and ensuring greater accuracy, has had significant impact on the internal controls available to the mission. While the systems currently in use by the missions are not fully integrated (though it is envisioned that the eventual implementation of IMIS in the missions will provide such integration), missions do have the capability with the existing systems to provide comparison reports of the data through which they can identify any discrepancies and make immediate corrections. This has obvious advantages, particularly for payroll and accounts payable, where the financial interests of the Organization are at stake. In addition, general familiarity with the standard mission computer systems should enable the Organization's auditors more easily to find clear audit trails and all other relevant information required for complete and timely audit analysis.

51. Certainly, the best assurance of financial accountability and control is to guarantee the deployment of the necessary staff to the budget and finance units of a mission at the earliest stage, in order fully to implement the systems and procedures by which the mission is to function. Given the difficulties

experienced in assigning and deploying qualified staff, the use of "roving finance officers" to provide assistance and support to field missions, particularly at the early stages of the mission, has been developed as a stopgap measure, and is outlined in a recent report of the Secretary-General (A/50/983). Experienced finance officers, either drawn from serving Secretariat staff or on dedicated posts, when available, would be assigned for short durations to meet specific needs of the missions, from planning surveys and mission start-up to training and troubleshooting. Similarly, the concept of "management review officers" (outlined in the same report) addresses the internal control problems of missions by recommending inclusion of a proactive monitoring and procedural analysis capacity in their basic management structure. While these do not address the underlying human resource deployment issues, they should to some extent alleviate the immediate problems of establishing appropriate controls by ensuring that experienced staff are available to missions when required, even temporarily, and with the necessary qualifications and mandate.

3. Procurement and logistics

52. The experience of UNTAC served to highlight shortcomings in the Organization's procurement policies as related to their application in the context of peacekeeping operations. Compounded by the mission's near-total reliance on international procurement stemming from the unique constraints of the local situation in Cambodia, the established procedures and processes for undertaking official purchases (which had been developed for use in a stable Headquarters-type setting) often proved too bureaucratic and time-consuming to meet operational requirements. Some immediate measures were undertaken to address the difficulties experienced in UNTAC, such as greatly increasing the delegation of authority for local procurement, though broader structural solutions must be considered to meet the needs of such large, short-term peacekeeping missions in general.

53. UNTAC was, by any account, a logistical nightmare from the beginning. The infrastructure of the country was virtually non-existent for much of the period of the mission, there was no local production or market from which to supply the mission, and even the alternatives for bringing goods into the country were extremely limited. The mission itself was to be of an extraordinarily large size, having a clearly defined and brief time-frame, with a broad mandate to be carried out on several tracks simultaneously and with severely limited lead time to prepare its deployment. Every basic support need, including accommodation, food, water, electrical power generation and fuel, would need to be brought into the country, and many of the additional requirements could not be anticipated, were difficult to define and changed frequently. Finally, the fragile political situation underlying the establishment of the mission led to disruptions from the outset, as the non-cooperation of one of the parties to the conflict impeded access to sizeable portions of the country and necessitated late revisions to the mission's objectives and concept of operations.

54. Recognizing those obstacles and the tremendous preparations to be undertaken in order to enable deployment of the mission, a substantial advance appropriation ($200 million) was requested for the procurement of accommodation, transportation, communications and other support equipment and services. However, that was not approved by the General Assembly until just two weeks before the start of the mission. Insofar as the Organization's financial rules and regulations prevent procurement until funds are specifically allocated, the delay of this initial appropriation greatly hindered the timely provision of the identified equipment/supply requirements, with repercussions throughout the mission. Furthermore, while the appropriation was intended primarily to support the infrastructural preparations for the mission, a substantial proportion of those funds was utilized for the actual deployment of mission personnel and contingents. The difficulties in providing the essential equipment to establish and support the mission continued with the delays in the preparation of the mission's budgets and related appropriation of funds.

55. As noted above, an early attempt to facilitate procurement for the mission, bearing in mind the scope of requirements and the inherent delays in referring all matters to Headquarters, was to increase the delegated authority of the Special Representative of the Secretary-General for Cambodia to approve local procurement up to an unprecedented maximum of $500,000. That level of authority, along with the definition of the local procurement area to include major regional commercial centres (Singapore, Thailand, Malaysia, Indonesia and the Philippines, as well as Laos and Viet Nam), afforded the mission

direct access to broader regional markets, with their inherent cost-effectiveness. Though the mission was initially ill-equipped to make full use of that delegation, the eventual strengthening of the procurement section and the establishment in mid-1992 of a satellite procurement office in Singapore to facilitate transactions greatly improved the mission's local procurement capability and accordingly reduced lead times for delivery.

56. As mentioned above, the mission was hampered from the start by the lack of concrete, reliable data for planning purposes. In the area of procurement this implied the absence of detailed requirements and supporting technical specifications, which are prerequisites for any procurement action. Combined with a general lack of experienced personnel, this had a particularly marked impact on the provision of large-scale items to the mission, such as rations, water, fuel and accommodation-related equipment and supplies. Without experienced contract administrators, the mission's ability to monitor closely the performance of contractors was seriously constrained, resulting in recurring problems with quality, quantity and the timely distribution of supplies. For example, when UNTAC was first established, only the most cursory guidance was available for establishing contracts to provide rations to the widely dispersed contingents, based solely on a flat rate per person. With the assistance of a Government-provided military specialist at Headquarters, four regional suppliers were contracted to supply food and water directly to the contingent locations, but numerous problems arose relating to the quality and quantity of rations delivered and associated ethnic and religious requirements. Those were, by necessity, addressed by the respective military units in the first instance, though the larger issues of performance and monitoring of requirements fell to the mission headquarters, which was not sufficiently staffed to provide fully adequate oversight.

57. The Organization has since made significant improvements in the acquisition and distribution of rations, including the promulgation of a revised ration scale that clearly defines entitlements and includes provision for dietary and ethnic requirements, with a maximum ceiling for daily rates in all rations contracts. In addition, model contracts have been developed, which specify delivery points, procedures for substitutions, a mechanism for resolving issues associated with changes in location and numbers of troops to be fed, and monthly reconciliation of invoices.

58. Difficulties were also encountered with control over the distribution of fuel and other petroleum products throughout the country. The lack of experienced personnel and logistical infrastructure early in the mission led to a series of ad hoc arrangements for the provision of those vital supplies. The distribution system was organized by the contractor, who also fabricated and installed some 400 fuel tanks countrywide, including aviation fuel bladders with filtration systems and pumps in all the airfields. Those installations required continual monitoring, control and verification, which was not always possible because of staffing limitations. Bulk purchase of these supplies was instituted in late 1992 only, when appropriate resources were made available and actual needs could be more accurately determined.

59. The shortage of engineering personnel and the undeveloped logistical infrastructure were fully taken into consideration when contracting for the provision of prefabricated accommodation for the mission. Because of the initial estimate that such accommodation would have to be provided for virtually every contingent and component of the mission (in that there were no existing facilities or services available in most of the country), self-contained encampments were ordered from various suppliers, in a number of sizes and configurations for each of the specific users. It should be noted in this context that only a fraction of the original estimated requirements was eventually ordered, because of the inability of vendors to provide the required numbers within the requisite time-frame. The contracts included all components for fully functional buildings, as well as delivery and installation at unspecified end sites throughout the country. However, because of changing operational plans owing to political developments, the identification of the specific sites was in many cases delayed. With this in mind, and following a review of the transport resources available to the mission, most of the contracts were revised while the prefabricated units were in shipment to remove the inland transportation and installation clauses. Though this provided some savings to the Organization, it negated some of the benefits of having the suppliers remain fully responsible for installation and set-up of the units in turnkey condition. Insofar as the logistics of delivering the units to the various locations was difficult and in cases delayed by completion of site preparations, some problems arose with security while the units were awaiting distribution, for which the

Organization was then solely responsible. The experience in this process has led to the adoption of a more modular approach for the provision of prefabricated accommodation units, based on standardized specifications. Using this approach, the missions can determine their specific requirements for any configuration, with installation either by the mission itself or by local contractors, saving both time and costs. And while there is currently little need foreseen to procure prefabricated components, owing to the available surplus of such equipment from recently closed missions, preliminary steps have been undertaken to develop a contingency contract for supply of prefabricated modules should the need arise in future.

60. The enormous amounts of equipment required within a very limited time-frame often meant that a number of suppliers or manufacturers had to be approached, with availability superseding considerations of standard specifications or compatibility. Such was the case to some extent with the prefabricated accommodation units, but more so with the provision of vehicles and electrical generators. With a requirement for a total of some 6,000 vehicles for the mission, no single supplier was able to provide the full requirements for one type of vehicle, and the mission had to procure a variety of makes and models of vehicle. Similarly, the immediate requirement for a large number of generators of various capacities went far beyond the availability from suppliers in the region and the generators were therefore procured globally from different manufacturers regardless of standardized specifications. While that situation was unavoidable, and complicated by the need to take the earliest possible procurement action before reliable estimates of needs could be made, the resulting great diversity led to considerable complications in providing maintenance and maintaining a corresponding stock of spare parts. An attempt to address the problem of vehicle maintenance was made by arranging for vehicle maintenance facilities, including workshops and stocks of spare parts, to be supported by the main vehicle supplier, although that proved inadequate. For the generators, the initial considerable maintenance problems were overcome once the mechanics were familiarized with all of the types and makes. Nevertheless, the Organization gained valuable experience in how to streamline the procurement process to meet field mission conditions. By opening the process to global competition and making allowances to split procurement among bidders for available quantities, the Organization was able to benefit both in the timely provision of the equipment required and the resulting reduced operational costs.

61. Further complicating the procurement difficulties described above were the additional and unforeseen requirements of military units that arrived in Cambodia without the appropriate equipment as specified in the Guidelines for Troop Contributors. Apart from compromising the operational effectiveness of those units and, in turn, the mission as a whole, that created a new category of urgent requirements to add to the workload of the already insufficient procurement staff, and diverted scarce resources, both human and financial, from other equally important tasks. Furthermore, in many of those cases, acquisition of the required items involved a long lead time. That experience prompted the Organization to emphasize more strongly the need for initial self-sufficiency when discussing potential troop contributions with Member States, and to initiate a process whereby United Nations personnel can be sent to assist Member States in assessing the supplies and equipment to be deployed with the military units, and thus to address any deficiencies prior to the departure of the unit concerned. That approach has proved to be successful in deployments to UNPROFOR, UNAMIR and UNAVEM, particularly for contingents coming from Member States that have experienced difficulties in that regard in the past. Similarly, the more detailed specifications of the stand-by arrangements, as noted in paragraph 34 above, should serve to ensure that the contingents so deployed are fully and appropriately equipped.

62. A number of general measures to remedy some of the broad procurement difficulties experienced by UNTAC were outlined in paragraphs 76 to 81 of the report of the Secretary-General to the General Assembly on effective planning, budgeting and administration of peacekeeping operations (A/48/945). Those included maintenance of a revolving reserve stock of certain basic equipment and supplies in the form of start-up kits to enable new missions to become operational and minimally self-sufficient without undue delay (further detailed in document A/49/936), use of contingency contracting methods to enable more rapid procurement of readily available equipment or supplies, or items that may be subject to frequent technological updates or cost reductions, and the establishment of standard equipment specifications based on actual field requirements to ensure compatibility, efficiency and cost-effectiveness. Recommendations were also made to decentralize procurement responsibility further by increasing the

expenditure ceilings established for local committees on contracts in the field missions and by expanding procurement areas, while maintaining the Central Headquarters procurement system for standardized equipment on a global basis.

63. The experience in UNTAC highlighted the need for better procurement and contract management on the part of the Organization in general, but particularly in respect of field operations. Conditions in the field necessitate greater flexibility in contracting in order to allow revisions to the terms of the contract, within broad parameters, so as to reflect continuing developments in the mission area and mandate. Procurement processes themselves require streamlining in a way that would allow missions to exercise the necessary flexibility, while at the same time ensuring due regard to internal controls. Standard bidding documents and contracts have since been prepared for the field context, including specific provisions for delivery locations, adjustments to quantity or quality, contingencies, enforcement provisions and cancellation clauses for non-performance. However, more active contract management remains essential, including constant monitoring of the continued validity of operational planning parameters and related requirements, as well as contractual performance. Experienced contract administrators are crucial in order to enhance control and responsiveness, as well as to help prevent contractual disputes. However, while every effort is made to deploy such personnel, there is a serious shortage of staff with such experience available for mission assignment.

64. Owing in part to the problems experienced in UNTAC, the Secretary-General initiated a high-level expert review of the procurement process intended to arrive at specific recommendations leading to the establishment of an efficient and responsive procurement process, including procurement for field missions and procurement in the field. Made up of procurement experts provided by various Member States, the review group submitted a report in December 1994, which provided a series of recommendations for immediate actions to derive quick benefits as well as for longer-term improvements. Those recommendations for streamlining the process and procedures supported many of the measures proposed earlier by the Secretary-General (A/45/945), of which most were already being carried out. Subsequent reports of the Secretary-General (A/C.5/49/67 and A/C.5/50/13) provide further details on the progress made to date in the implementation of procurement reform. Nevertheless, while significant improvements have been achieved, the time-consuming procurement process continues to limit the Organization's capability to respond quickly to urgent situations, and further efforts are required.

4. Contingent-owned equipment

65. UNTAC experienced particular difficulties in recording and accounting for contingent-owned equipment brought into the mission by military units. Although reference to the process was included in the relevant Guidelines for Troop Contributors, the Secretariat did not sufficiently stress to Member States the importance of the in- and out-survey process for their equipment accompanying troops into the mission area. Thus, while greater efforts at disseminating that information to troop contributors were made for subsequent operations, several of the UNTAC contingents were not fully aware of the significance of following a proper in-survey process for subsequent reimbursement for use or loss of contingent-owned assets. In some instances, owing to some extent to the compressed deployment schedule and shortage of administrative personnel to oversee the process, no in-survey was prepared at all. The necessary in-survey process was similarly overlooked in many instances where equipment and other supplies were brought into the mission on national resupply flights, further undermining accurate recordkeeping. In addition, while the out-survey process was better organized and generally more effective, serious deficiencies in the documentation supporting the contingents' claims for reimbursement has resulted in a backlog that continues to be addressed today, more than two years after the end of the mission.

66. In addition to the difficulties experienced in the physical verification of the equipment, the established practice of reimbursements based on depreciation of the full value of the equipment over four years was recognized as impractical in the context of operations of a short duration. In UNTAC therefore an ad hoc procedure was instituted, with the agreement of Member States, whereby the annual depreciation paid by the United Nations for contingent-owned equipment was reduced by reflecting a more standard

depreciation schedule. The Secretary-General subsequently proposed a revised procedure for determining appropriate compensation to Member States for contingent-owned equipment (A/48/945), and was authorized by the General Assembly in its resolution 49/233 of 23 December 1994 to proceed with a project wherein Member States would participate in a Working Group on Contingent-Owned Equipment to set comprehensive standards for categories of equipment and establish new rates of reimbursement. The Working Group, made up of technical and financial experts from Member States, met from March to August 1995 and made its recommendations, which were summarized in a report of the Secretary-General (A/50/807) and presented to the General Assembly for approval. The recommendations were endorsed by the Assembly in its resolution 50/222 of 11 April 1996. Implementation of the new procedures began on 1 July 1996, and a report is to be presented detailing the experience of the first full year of implementation.

67. The proposed system is designed to reduce bureaucracy by eliminating lengthy survey procedures, and to improve coordination and efficiency in the management of mission assets in the field for both the civilian and the military components. By providing flexibility in the application of "leasing" or self-sustainment concepts according to established rates, the system should also increase transparency in a simplified planning and budgeting process, improve the reimbursement process and encourage greater participation of Member States in peacekeeping operations.

5. Management of assets

68. Prior to the rapid expansion of peacekeeping operations commencing with UNTAC, the Organization's management of peacekeeping assets had not been an issue of pressing concern. However, the enormous quantity of equipment acquired for UNTAC, as well as for subsequent large missions, left the Organization with a vast inventory of assets. Whereas some surplus assets had previously been transferred between missions or held at the United Nations Supply Depot at Pisa, Italy, the scope of the UNTAC assets to be organized and accounted for far surpassed any previous experience. Oversight and control by the UNTAC administration was complicated by the rapid deployment schedule, the widely dispersed work sites and the tenuous security situation, and, of course, the shortage of personnel. That problem was further magnified as the mission began to draw down, little more than a year after initial deployment, and assets had to be accounted for and prepared for further use or disposal as they became surplus. Without complete records from the beginning of the mission, the liquidation process became even more unwieldy.

69. The effectiveness of property control and inventory functions is, to a very large extent, dependent on the observance of proper procedures for procurement, receiving and inspection, and distribution of assets to the sections and users. Proper reporting and timely investigation of losses of assets is also essential. If there are gaps in the process, they will inevitably reflect on the ability to control, manage and account for assets during and after the mission. The quick establishment of necessary channels of communication and control between the responsible units should be an administrative priority of any mission. As was the case throughout UNTAC, the late organization of administrative functions jeopardized the mission's effectiveness and increased the overall workload.

70. It was also evident in UNTAC that the introduction of stricter measures was required to ensure that staff live up to their responsibilities with respect to their use of United Nations property, as well as to underline the accountability of chiefs of sections and units. When signing for equipment assigned to them, staff are informed of their responsibility to safeguard the equipment and that they may be held financially liable for loss or damage to United Nations property as a result of misconduct or negligence. This is normally a sufficient deterrent to disregard for United Nations property, and staff are periodically reminded of their responsibility through the distribution of administrative issuances.

6. Records management

71. In addition to accurate inventory records, there is an obvious need to establish and maintain well-organized and comprehensive records of the mission's activities in general. With that in mind, a records management unit was successfully established in UNTAC for the first time as an integral part of the mission's administrative structure. Experience has shown the need for uniformity in recordkeeping, particularly in situations such as UNTAC where many offices operate parallel to one another. The UNTAC records management unit was given responsibility for organizing files at each location in accordance with a central plan, periodically monitoring each office to ensure consistency, and later consolidating and indexing the records at mission headquarters. At the end of the mission, the unit was able to coordinate an orderly transfer of all mission records to the central archives and records management unit at Headquarters. Since these records must be properly preserved for administrative, historical and legal purposes well beyond the end of the mission, it is imperative that they be as complete as possible, logically organized and clearly identified, conditions that were met by UNTAC through the assignment of one international staff member and three local staff members to this important function. However, some further consideration should be given with respect to arrangements and policy for the reception, organization and access to mission records once shipped to Headquarters.

72. As the early establishment of appropriate procedures saves time and effort in the long run, greater emphasis has been placed on this in more recent missions. New technologies that make it possible to preserve virtually unlimited amounts of data in minimal storage space are also currently being introduced. In this regard, pending full implementation of the use of electronic storage of records, standard record retention schedules have been prepared to help organize the missions' records management and minimize costly transfers of unnecessary documentation. Following the UNTAC example, the standard mission organizational structure now includes a records management unit, and record management procedures are being promulgated.

7. Review boards

73. In every mission, substantial administrative efforts must be directed to accounting for assets lost or damaged through theft, accidents and other causes, as well as for settling claims by both staff members and third parties for losses or injuries, including death, sustained in the course of the mission's activities. A Local Property Survey Board and a Claims Review Board are routinely established in the missions, which are delegated authority to address those matters locally and to make recommendations to the Headquarters bodies for approval of actions or settlements beyond the delegated limits. In the case of UNTAC, owing to its sheer size, the poor local security situation and the state of the local infrastructure, those Boards were inundated with cases, which added a considerable burden to their members, whose main responsibilities as senior administrative staff regularly had to be set aside to deal with these matters. Because of the relatively low financial limits routinely delegated to missions, that similarly created an enormous workload for Headquarters, as the cases sent for approval had to be processed and reviewed. In order to facilitate the work of the UNTAC boards therefore modifications were introduced to streamline the process, increasing the levels of delegated financial authority for local settlements to both the boards and the Director of Administration. Similar increases in delegated authority have been granted for the missions in the former Yugoslavia for similar reasons, and a review of the issue in general is currently under way within the Secretariat.

8. Boards of inquiry

74. One of the standard procedures in addressing any accident or other incident involving personal injury/death or property damage/loss that involves United Nations personnel has been the convening of a Board of Inquiry to report on the incident to the appropriate officials. In a peacekeeping mission the size of

UNTAC, the work associated with convening boards of inquiry and preparing the related reports can engage a significant number of personnel and demand long hours of work. The UNTAC military and civilian police, in addition to their regular monitoring functions, were responsible for investigating incidents outside Phnom Penh, while the Civilian Security and Safety Section, as far as staff resources would allow, was responsible for those occurring within Phnom Penh. The final investigation reports constituted the basis for the disposition of the cases.

75. One of the difficulties experienced in UNTAC with the handling of boards of inquiry was the lack of sufficient personnel trained to carry out or assist with the necessary investigations. That problem has persisted in some other missions and is all the more serious as investigations need to be conducted as soon as possible after the incident. The problem has been recognized and efforts are being made to ensure the availability of sufficient security staff and military and civilian police to undertake the actual investigations as required. In addition, as the civilian and military police attached to each mission are of necessity assigned a major role in the board of inquiry process beyond the initial investigation stage, it is important to ensure that such functions are clearly included in their terms of reference, so as to avoid misunderstandings or resentment over what can make up a significant portion of their overall workload.

76. The standard operating procedures that guided the work of boards of inquiry in earlier missions were developed in the stable context of long-term operations and, as such, the criteria for investigation and reporting proved to be excessively time-consuming in a mission of the size and nature of UNTAC. The bulk of the approximately 550 cases that required processing by UNTAC boards of inquiry were related to traffic accidents, damage to property and theft. To render the process more meaningful, as well as more manageable, the procedures and criteria were revised with a view to concentrating the mission's limited resources on incidents/accidents of a more serious nature, including those where there was a suspicion of fraud. Those criteria are now being applied in other missions, and should be particularly useful to large missions to expedite the processing of a substantial backlog of pending reports.

E. Technical Services

1. Communications

77. The need for operational self-sufficiency within a peacekeeping mission is most pronounced in the area of communications. Communication facilities of any kind were practically non-existent in Cambodia before UNTAC began. To fulfil its functions, as well as provide security for United Nations personnel and property on the ground, a prerequisite for the full deployment of UNTAC was the establishment of a reliable network to cover both long-distance and extensive local communications between Phnom Penh and many other locations, often in remote areas. As that system would be the only available means of communication in the mission area, provisions had to be made to meet the generic as well as the specialized needs of each mission component, and to enable access to it for both official (military as well as civilian) and private communications by the staff in general.

78. To create that system, over $32 million worth of communications equipment was procured, installed, maintained and secured, including 58 remote very high frequency repeater sites in various parts of the country. Insofar as the Organization did not, at that stage, have the capability to install, maintain and operate such an enormous system independently, additional contracts in excess of $41 million were entered into to provide the necessary technical services. That project eventually involved close to 300 civilian specialists (both United Nations staff and contractors) and some 400 military personnel, with expertise in various communications technologies including satellite, very high frequency portable, mobile and base station radios, high frequency long-distance radio communications for remote areas, a trunking system that linked the UNTAC offices by facsimile, telephone and radio, and international commercial connections. The vastly complex system, the largest ever undertaken by the Organization, was not without its shortcomings, but on the whole it served its purpose. And though the project in Cambodia could not have been carried out without the intensive, and costly, involvement of commercial contractors, the experience

gained was critical to the organizational self-sufficiency achieved for similar, though smaller, projects in subsequent peacekeeping missions, notably UNOSOM, UNAMIR and UNMIH.

79. Since the UNTAC communications system was the only functioning system in the country, mission personnel were allowed access to it for private calls on a reimbursable basis. With the many urgent priorities for scarce staff during the early stages of the mission, it was only later that a unit was established for systematic monitoring and billing for private use of the system. Regular monthly collection from the staff and military was instituted only thereafter, and the successful recovery of approximately $2.5 million in costs incurred for private calls made previously required substantial additional efforts from that unit. Subsequent missions have instituted such procedures in the early stages of the mission, before outstanding balances could build up to such levels, facilitating the recordkeeping and recovery process.

80. The UNTAC Communications Section was also responsible for the installation and maintenance of reproduction equipment and generators. Given that communications technicians were usually the only technically qualified personnel in a mission, that had been the standard practice in peacekeeping operations. UNTAC, however, was not only a very large mission, spread out over a considerable geographical area, but was almost totally reliant on generators for all of its power requirements. Responsibility for the generators would therefore have been more easily and efficiently accomplished by a self-contained unit. In subsequent missions, responsibility for generators has indeed been separated from the communications section, except for very small missions where such a separation would not be feasible or necessary.

2. Transport

81. The Transport Section was responsible for maintaining a vehicle fleet of some 6,000 civilian-pattern vehicles and approximately 4,000 contingent-owned, military-pattern vehicles and equipment. Compounding the immense volume of routine maintenance work, the extremely harsh road conditions in the country and long distances to be covered, not to mention often inexperienced drivers, meant greater than average wear and tear and traffic accidents, and associated supplemental requirements for vehicle servicing, spare parts and supplies. The UNTAC Transport Section, like most other units, started off the mission with neither the required number of staff nor the expertise to cope with a task of that magnitude. As noted in paragraph 58 above, the technical support offered by the major vehicle supplier was never realized to the extent expected. In the absence of that major component of the vehicle maintenance plan, the mission integrated the civilian and military transport operations in order to maximize its resources and coordinate a considerable inventory of supplies and spare parts in Phnom Penh. A few strategically placed workshops were established in the countryside and the situation was further alleviated through the recruitment of United Nations volunteers as vehicle mechanics, enabling the mission to expand maintenance operations with small workshops in each province.

82. With the delays in vehicle delivery and vehicle maintenance problems, vehicle assignments had to be periodically reviewed in order to ensure that priority activities could be carried out. In addition, under some contracts it was stipulated that contractual personnel, such as aircraft crews and construction personnel, should be provided with UNTAC vehicles. That had not been anticipated in the original planning for the mission's vehicle establishment or budget. The Secretariat has taken numerous steps to prevent that situation from recurring. Service contracts now specify that contractors must make their own arrangements for ground transportation, or, if that is not possible, advance notice should be given to the United Nations for those requirements.

3. Air operations

83. Notwithstanding considerable efforts to repair the road infrastructure in Cambodia in order to enable electoral and other teams to travel around the country and to reduce the mission's reliance on aircraft in general, UNTAC was obliged to rely heavily on its air assets. Air operations therefore formed a vital

component of the UNTAC support organization for transportation requirements for personnel, as well as for the delivery of supplies and equipment. In some situations, air transportation was necessary for security reasons, minimizing the risks associated with extended land travel, such as banditry and landmines. In others, air transportation was simply the most expedient and efficient, bearing in mind the time involved in reaching remote areas by road. While crucial to the operational success of the mission, the use of air transportation was extremely costly, and advance planning and control mechanisms were thus extremely important. Although established rather late in the mission, controls were initiated in UNTAC through the creation of a movement control centre with the responsibility to task all air assets.

84. The lack of sufficient, experienced staff was further exacerbated in the case of air operations by the lack of clear standard operating procedures. The military component played a leading role in directing air operations at the early stages of the mission, but experienced staff and better preparation and direction at the Headquarters level would have enabled the civilian component to take proper control from the outset. Greater emphasis is now placed on the preparation and training of air operations staff before deployment to the field, and more detailed policies and guidelines for administration, management and control of air resources have been developed. In addition, it became clear in UNTAC that far greater emphasis had to be placed on air safety. The Department of Peacekeeping Operations therefore strengthened the Headquarters management and support capacity by creating, within the Field Administration and Logistics Division, a distinct Air Safety Unit, and by devoting greater resources to the Air Operations Unit and the Transport Section overall. A specialized air operations officers training course was developed, and during the past two years nearly all such officers selected for mission service have undergone the training prior to deployment. The relevant guidelines and instructions for air operations contained in the draft Field Administration Manual were updated during the UNTAC period, and have since been supplemented by more detailed guidelines in the recently completed draft Operation Support Manual. Lastly, a very specific Air Operations Manual, which is in the early stages of preparation, will clearly describe how air resources are to be utilized for maximum efficiency and effectiveness in support of all mission components, procedures for monitoring performance and contract implementation, verification of block flying hours and invoices for fuel utilization, and all related details of the range of activities falling under air operations.

85. UNTAC air operations also experienced numerous difficulties in connection with contracts for air support, especially monitoring of the performance of the contractors and contract implementation in general. A series of short-term contracts were entered into pending the negotiation and approval of a longer-term contract, and individual negotiations were held at Headquarters with various contractors. That resulted in discrepancies in the terms and requirements, which could not be easily followed by mission staff. Deficiencies in contractor performance were therefore often not recognized, or corrected, until substantially after the fact, and verification of invoices was made more difficult. As a result, the Organization developed a United Nations standard air charter agreement, setting out standardized terms, procedures and performance factors for every aircraft charter, which has greatly simplified monitoring and control by the missions.

4. Buildings management

86. Appropriate buildings and services were generally unavailable in Cambodia, and effective buildings management and engineering services were therefore crucial to the mission. That service was responsible for the renovation, operation and maintenance, and sometimes construction, of a vast array of buildings and camps, ranging from small district offices to a 100-bed hospital, an air passenger building and the mission headquarters complex in Phnom Penh. The service was also responsible for the development and operation of a theatre-wide water purification system, including drilling and equipping 110 wells, upgrading four airfields and repairing 425 bridges and hundreds of kilometres of roads. With the extremely tight deployment schedule and the impending onset of the monsoon rains, those tasks had to be completed within very tight deadlines, especially in the start-up phase, and the only way to accomplish all of these

projects on time was for the bulk of the work to be performed by contractors. In this area, also, significant shortcomings in terms of contract preparation and management were encountered (see para. 61 above).

87. The initial assessment for requirements for construction or provision of prefabricated accommodation, even with the presence of UNAMIC in Cambodia, was based on inadequate information. In addition, the mission implementation plan had underestimated the possibility of making existing buildings serviceable through local labour, as well as the remarkable speed with which local entrepreneurs would erect buildings to cater for the needs of UNTAC. The resulting unexpected availability of accommodation enabled the mission to divert several prefabricated accommodation and office complexes to the mission in Somalia, which facilitated that mission's establishment.

5. Automation and computerization

88. The need for effective automation and computerization in all components of UNTAC was obvious from the outset. The dispersion of office locations throughout the country, the poor state of communications and transport infrastructure, security considerations and time constraints, and the enormous numbers of personnel to be administered and paid, combined to make computerized recordkeeping and control systems essential to the success of the mission. Accordingly, automation was most critical to administrative support functions, though most components relied heavily on computerized systems for their work. For example, the collation and processing of the tremendous amount of data generated in the Cambodian electoral process, including voter registration, could not have been processed manually.

89. Although the introduction of computerized systems for administration of peacekeeping operations had started well before UNTAC, the unique demands of the mission motivated a broad review of potential systems to serve such large-scale needs. As a result, new systems were implemented without the time to conduct thorough field testing, and none of the staff had prior training or experience in their use. This led to numerous problems as the systems and staff, both those working with the systems and those supporting them, were "broken in". Many adaptations were required to address specific processing problems as they arose, to provide linkages or allow non-standard entries that could not be foreseen. Additionally, the use of independent systems without linkages between the Personnel, Finance and Procurement Sections led to inefficiencies, necessitating duplication of work and precluding automated control mechanisms. Since UNTAC, a comprehensive package of standardized and fully inter-operable computer systems of proven suitability are provided from the initial stages of a mission, and staff are trained in the relevant operations prior to deployment. Most missions are now also electronically linked with Headquarters, further enhancing communication and technical support. Guidelines for establishment and operation of electronic data-processing sections/units in the field missions were promulgated in 1994, with detailed instructions governing all aspects of the management, procurement, deployment, training, support and control procedures for electronic data-processing operations, including physical and information security measures.

90. The delays in the deployment of electronic data-processing staff and the delivery of computer equipment to UNTAC had consequences for every component of the mission. The shortage of computer equipment, in particular, created an enormous demand and pressure for immediate distribution when it did arrive, resulting in unreliable records and inadequate inventory control. The resulting hasty issue of computer equipment was, unfortunately, done at the expense of thorough recordkeeping and inventory control measures, which would later complicate the liquidation process (see also para. 95 below). The issue of security of United Nations assets is covered in paragraphs 91 to 94 below. However, it should be noted that electronic data-processing equipment is particularly susceptible to theft, and the provision of chains and the locking of work stations are now promoted.

F. Security

91. Given the unstable situation in much of the country, the security of UNTAC property and personnel was recognized as an administrative priority. The infrastructural and communications limitations, the distribution of thousands of staff throughout the country and the changing political situation rendered the development of a comprehensive and viable security plan extremely challenging and all the more important. By means of compartmentalizing one or more provinces in separate but coordinated plans, the civilian Security Unit was able to devise a workable mission-wide security strategy. The Security Unit worked in close cooperation with the military component of the mission, which was best equipped to provide security in case of evacuation, kept track of staff movements and location of residences, and identified and trained area security coordinators and district wardens. All mission staff were expected to familiarize themselves with the security plan.

92. UNTAC experienced widespread looting and theft of United Nations property, especially in the final stages of the mission, with the most attractive items for theft being vehicles, radio equipment, generators and laptop computers. Because of the size of the mission and its widespread distribution, securing UNTAC property was essentially the responsibility of the staff, under the guidance of the Security Unit. The military component assisted in guarding major UNTAC premises, and escorted large movements of UNTAC assets, even though those functions were not in their terms of reference. Other installations were secured by locally recruited security guards, which was not always a satisfactory arrangement: UNTAC property was often stolen with little or no resistance from those guards and sometimes with their cooperation. Attempts to address the problem of securing United Nations assets at the end of the mission included delaying the repatriation of troops for as long as possible to allow them to continue local patrols and escort convoys transporting UNTAC assets from the outlying areas, and reliance on Cambodian military personnel to protect the perimeters of UNTAC asset-holding areas in coordination with civilian security personnel and the military police. At the request of the Secretary-General (see S/26675), a number of military police were retained beyond the repatriation of the UNTAC military contingents to continue providing security during the final phase of the operation. Nevertheless, some $8 million worth of equipment was lost to theft, representing just 3 per cent of the $232 million total equipment assets of the mission, but still a substantial loss. Efforts to identify and recover lost UNTAC assets, with the assistance of the Cambodian Government as well as the Governments of neighbouring countries, were largely unsuccessful.

93. The operational environment of peacekeeping missions renders some loss of assets unavoidable. Unarmed United Nations staff, military observers and civilian police operating in sometimes hostile areas of tenuous law and order must rely on the local authorities, and on military contingents where available, to provide the necessary security. Clearly, this is not always sufficient, as illustrated by the fact that in Phnom Penh individuals and organized elements often stole UNTAC vehicles at gunpoint and in broad daylight. The presence of a competent security manager during all phases of the mission who would provide timely advice to mission staff, who could effectively supervise local security staff and who would be in a position to provide unique and otherwise unattainable information from local security contacts, could have increased the level of safety of personnel and equipment. It is interesting to note, however, that, even under circumstances where local police and judicial systems are often non-existent or ineffectual, overall the rate of thefts experienced by the missions is comparable to related crime rates in some more stable, developed countries. The main difficulty with protection of mission assets occurs when the local situation deteriorates rapidly, necessitating evacuation of the mission personnel before an orderly withdrawal can be arranged. Similarly, the final stages of missions have tended to suffer from increased theft of assets. In evacuation and withdrawal scenarios therefore efforts are made to remove portable assets with the departing personnel and to consolidate and secure the remaining assets in one location. That is, of course, considerably easier when personnel are being withdrawn at the end of mission, when plans can be made ahead of time, than for an emergency evacuation scenario. Nevertheless, in cases where the deterioration of the security situation is gradual or can be foreseen, such steps are taken as removal of non-essential assets to headquarters or another more secure location, and/or deployment of sufficient military personnel to provide more adequate security.

94. Following the example of Cambodia, subsequent missions have included protection of mission staff and assets more clearly in the terms of reference for the military and civilian police, from the initial deployment phase through the liquidation period. Member States are approached specifically to allow sufficient numbers of troops to remain in the mission area to perform guard and escort duties for assets during the withdrawal and liquidation process. Greater attention has been paid to physical security measures for work and storage areas, with installation of full perimeter fencing and security lighting now standard practice. Other measures implemented to deter thefts have included the implementation of a radio trunking system, whereby stolen communications equipment can be immediately disabled, rendering it useless to unauthorized users (and subsequently often recoverable through local markets), and similar disabling of INMARSAT satellite communications equipment, which can be traced and recovered should attempts be made to re-register it for later use. Those measures proved successful in Somalia, for example, when, after a few initial thefts, it was learned that such equipment could not be used.

G. Withdrawal and liquidation

95. The General Assembly, in its resolution 47/209 B of 14 September 1993, decided that the disposition of UNTAC assets was to be based on a hierarchy of priorities put forward by the Secretary-General (see annex IX), with all reusable assets to be retained for transfer to other existing or future United Nations peacekeeping missions wherever possible and cost-effective. A Liquidation Task Force was therefore set up in UNTAC with the primary objective of identifying assets available for dispatch to other missions or to storage. A special survey board was also convened to make recommendations on the disposal of assets whose transfer to other missions would be uneconomical, or the removal of which would be detrimental to the national rehabilitation process. In the meantime, detailed planning was undertaken to organize the practical requirements for the shipment of the outgoing assets, taking into account the following priorities for action: (1) to protect the mission's assets *in situ*; (2) to collect the assets in central locations; (3) to assess future serviceability for other mission use; and (4) to remove the assets from Cambodia as quickly as possible.

96. Once the needs of other missions had been determined, UNTAC assets were organized by type of equipment and recipient missions and plans made for the most cost-efficient schedules and itineraries. Equipment for which there was no immediate need by other missions was sent to storage, although the limited space available at the United Nations Supply Depot at Pisa required large quantities of surplus equipment to be sent to active missions with the capacity for storage (and the likelihood of future requirements, such as for generators and other equipment sent to Zagreb). Within a one-month period, some 12 shiploads of United Nations-owned assets were accordingly collected, prepared, packed and loaded. In addition to United Nations-owned assets, plans had to be made and carried out for the out-survey and repatriation of contingent-owned equipment.

97. Because of the magnitude of the mission and its assets, the haste in which those assets had to be removed from Cambodia and the shortage of staff with the necessary expertise, it was not always possible to conduct thorough physical inspections or make the necessary repairs to the mission's assets before shipment. In general, the inventory of mission assets forms the basis for determining values and making recommendations on transfer or disposal. In this case, problems encountered by the UNTAC Property Control and Inventory Unit in the early stages of the mission (notably lack of qualified staff, poor documentation of procurement/supply details and the need, as for electronic data-processing equipment, to distribute the merchandise to staff throughout the country immediately) hindered the full and accurate compilation of the inventory, with ramifications for the final reconciliation of the mission's assets at liquidation. Accounting for contingent-owned equipment, however, was better organized; the main issues there arose in verifying the values of the equipment, which would have benefited from the inclusion of an experienced military assessor. That problem will be resolved, however, under the new arrangements for the reimbursement of contingent-owned equipment (see paras. 66 and 67 above).

98. The liquidation team stayed in Cambodia for eight months after the expiration of the mission's mandate, but this period proved to be insufficient, and the final stage of the UNTAC liquidation process was

transferred to Headquarters, with a planned completion date of February 1995. However, in addition to such administrative complications as outstanding acknowledgements and discrepancies for assets transferred to other missions and other recipients, not to mention the disruptions entailed in the relocation of archives to New York, the completion of the liquidation has been further delayed by late submission of claims by troop-contributing countries. The Department of Peacekeeping Operations continues actively to follow up the UNTAC liquidation, and it is anticipated that the process will be finalized in the near future.

99. Adequate planning of the liquidation phase is as crucial as the planning for deployment and operation of a mission. Indeed, planning for withdrawal and liquidation of a mission should, to the extent possible, be included in the initial planning exercise and addressed by management at appropriate intervals during the mission. In this respect, not only do considerations of political necessity, logistical and administrative support requirements and security need to be taken into account in planning the withdrawal of personnel and assets from the mission area, but also the requirements of the liquidation team itself. For instance, the retention of essential personnel after the end of the mission mandate to provide security, logistics, medical and other support as required must be determined in conjunction with the size of the liquidation team, the residual assets required by the liquidation team and the estimated length of the liquidation period. Similarly, the anticipated residual workload must be carefully evaluated. The completion of residual administrative and support tasks is determined to a large extent by how well certain related tasks were performed and concluded during the operational phase, for example, the settlement of pending claims, payment of outstanding invoices, recovery of advances made, reconciliation of property records, and so on.

100. Building upon the experience gained through the liquidation of UNTAC, as well as subsequent missions, the Department of Peacekeeping Operations is in the final stages of producing detailed guidelines for the liquidation of field missions, outlining specific planning, management, reporting and command and control standards and practices to guide officials in the field, as well as at Headquarters. The pilot project utilizing the proposed guidelines resulted in reasonable success during the liquidation of UNOSOM II, despite the enormous security pressures during withdrawal. Improvements were subsequently introduced and in future the guidelines will be used in the liquidation, and planning, of all missions.

H. Audit

101. Insofar as it was recognized that audits are integral to good management, the UNTAC administration took the initiative to request the assignment of a resident auditor to the mission, so as to ensure that management procedures and practices were in compliance with United Nations rules and regulations, to assist in the timely identification of problems, and to suggest improvements in the administrative processes. The benefits identified in having full-time auditors attached to the mission include their full familiarity with local conditions against which to assess administrative performance, and the availability of and easy access to all documentation. However, it was felt by Headquarters at the time that this would introduce a "conflict of interest", and no such assignment was made.

102. The matter was later reconsidered, and resident auditors, reporting to the Office of Internal Oversight Services, have since been assigned to other large-scale missions, with beneficial results. Indeed, the Office of Internal Oversight Services has been instrumental in organizing audits of peacekeeping missions in a more consistent and constructive manner. In addition, the Secretariat has developed the concept of roving finance officers and management review officers for peacekeeping operations and special missions, with a view to preventing, or identifying and correcting as early as possible, management weaknesses in programme implementation (see A/50/983).

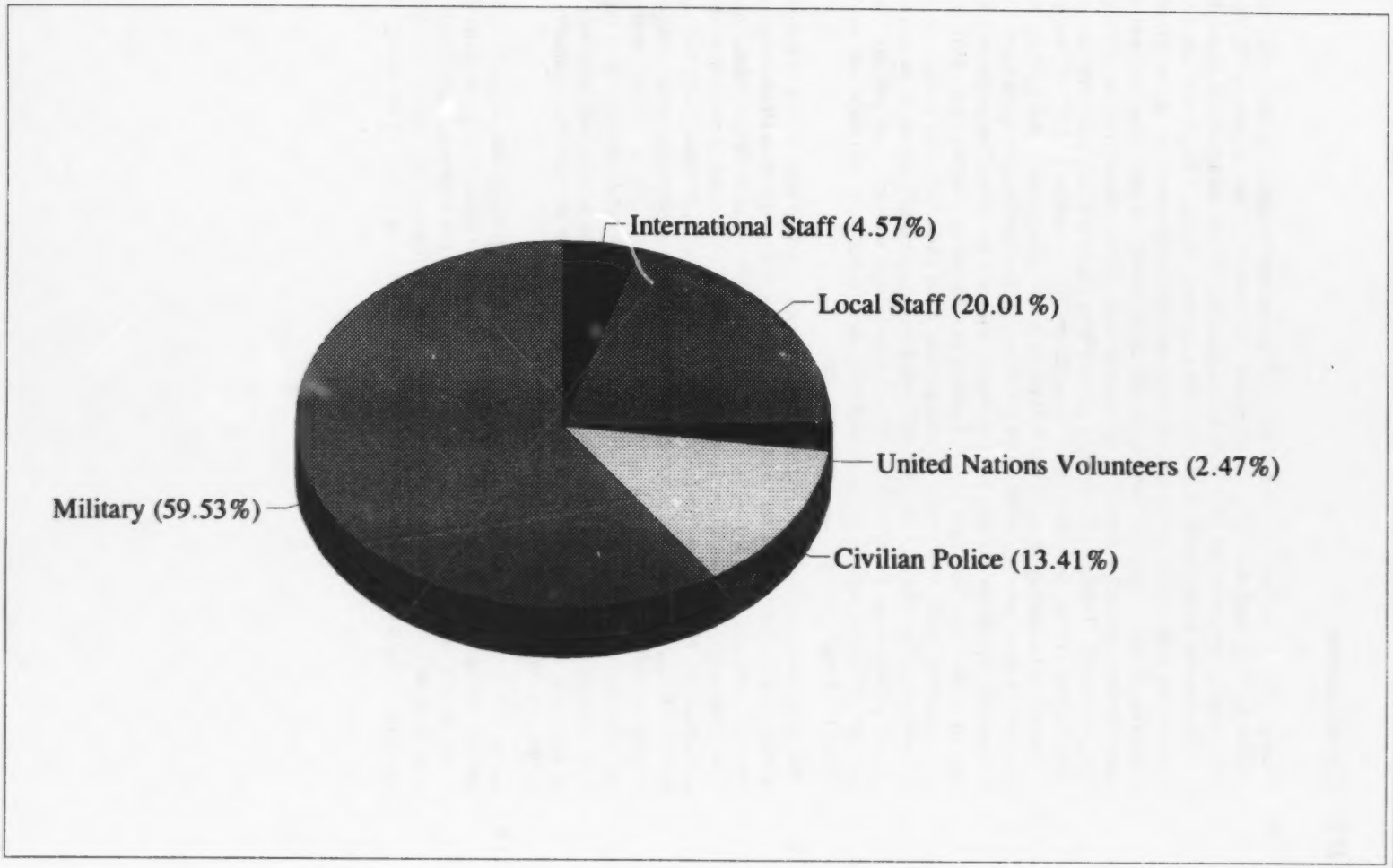
III. Conclusions

103. Even as UNTAC was meeting administrative and management challenges in Cambodia, related difficulties in other missions were also being identified and dealt with singly and collectively by the Department of Peacekeeping Operations and other Secretariat offices. As UNTAC heralded the dramatic increase in large, multi-component peacekeeping operations, the experience gained in Cambodia served to highlight the strengths and weaknesses of the Organization in managing such complex operations. Measures were taken to alleviate or resolve specific problems to the extent possible as they arose, while at the same time a comprehensive approach to improving the capacity of the United Nations for peacekeeping in general was being developed. Detailed information on those efforts has been transmitted to the General Assembly in various reports of the Secretary-General since the end of the mandate of UNTAC, covering such issues as improving the capacity of the United Nations for peacekeeping (A/48/403-S/26450), the use of civilian personnel in peacekeeping operations (A/48/707), effective planning, budgeting and administration of peacekeeping operations (A/48/945), procurement reform in the United Nations Secretariat (A/C.5/49/67 and A/C.5/50/13), surplus asset storage facilities and mission start-up kits (A/49/936), policy, technique and accounting issues with respect to peacekeeping assets (A/50/965), and management review officers and roving finance officers (A/50/983). Enhancing the Organization's capacity in the area of peacekeeping, as well as improving the efficiency and cost-effectiveness of field operations, are constant, ongoing processes, requiring support and assistance from the Member States and their individual and collective input of expertise, personnel and other resources.

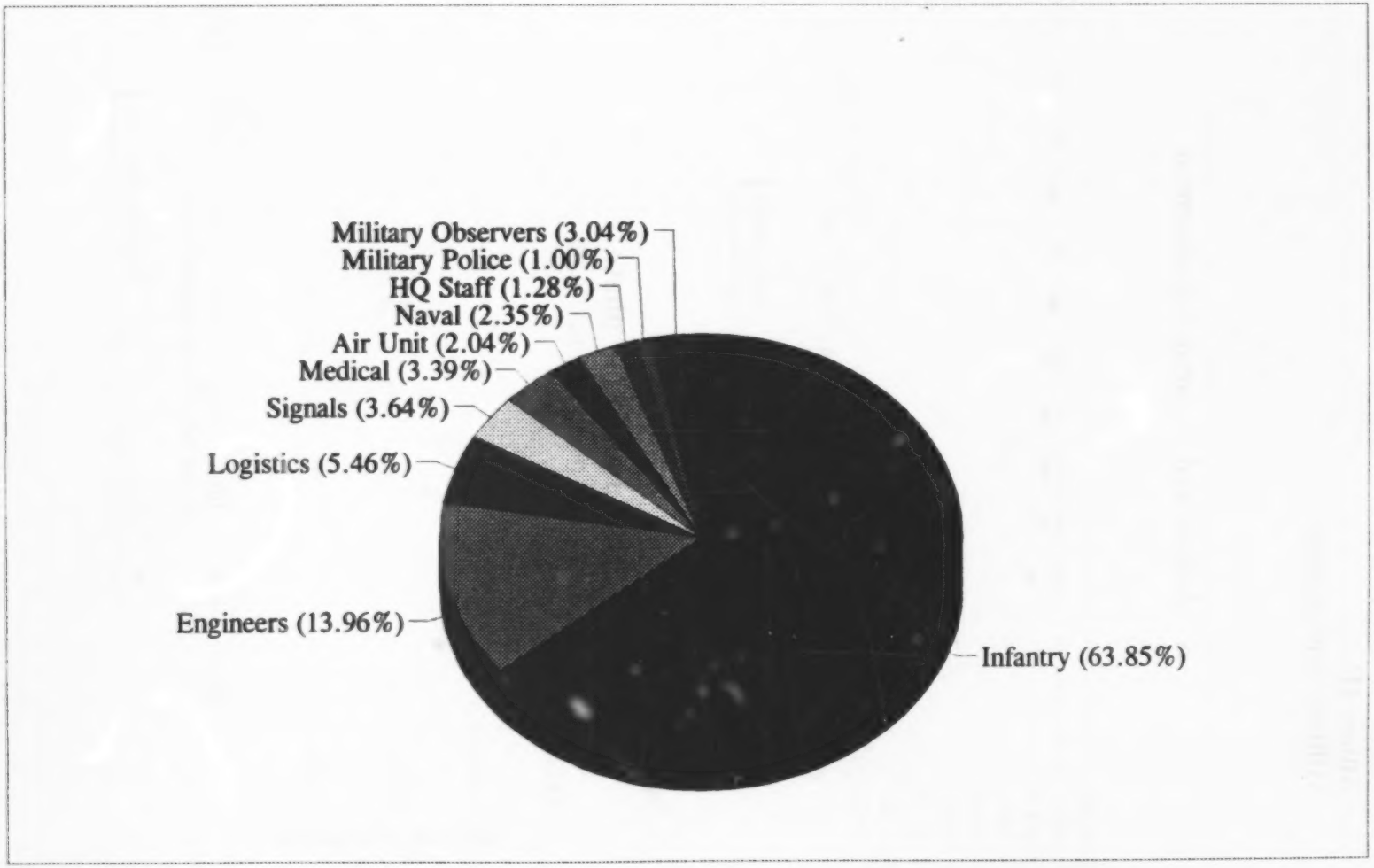
104. The thread running through the present report and many others is that the lack of human resources, the scarcity of skilled and experienced staff and the need for such staff both at Headquarters and in the field, not only constrains the ability of the Organization as a whole and of the individual missions to resolve many problems and shortcomings, but in fact also leads to the creation of some of those very problems. Unfortunately, new policies and harder work on the part of staff cannot solve the root cause of the problem. Recruitment rules and processes have been speeded up and relaxed as far as possible, but without a greater commitment from releasing departments to allow their personnel to serve on mission assignments, very little more can be done. Outside recruitment, while filling many of the gaps, does not solve the problem of the need for staff with direct experience on peacekeeping missions. Lessons need to be learned at both the institutional level, as well as the level of the individuals actually carrying out the polices and procedures on the ground.

105. Lastly, it is worth recalling that, despite the lack of personnel, the constraints imposed by a war-devastated country, the non-cooperation of one or several of the parties at different times, even despite the monsoon rains, no lack of administrative or logistic support caused the extension of the mission. The mission concluded, as scheduled, in May 1993 with the holding of free and fair elections. Cambodia returned to democratic rule, and its people, by and large, have continued to be free of the scourge of war.

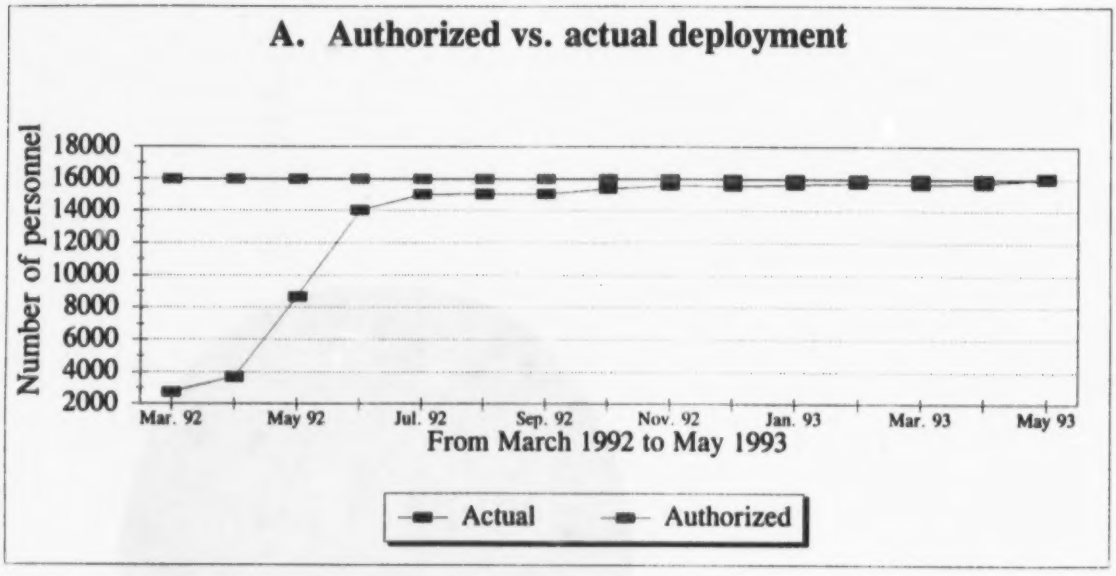
Annex I
Composition by category of personnel

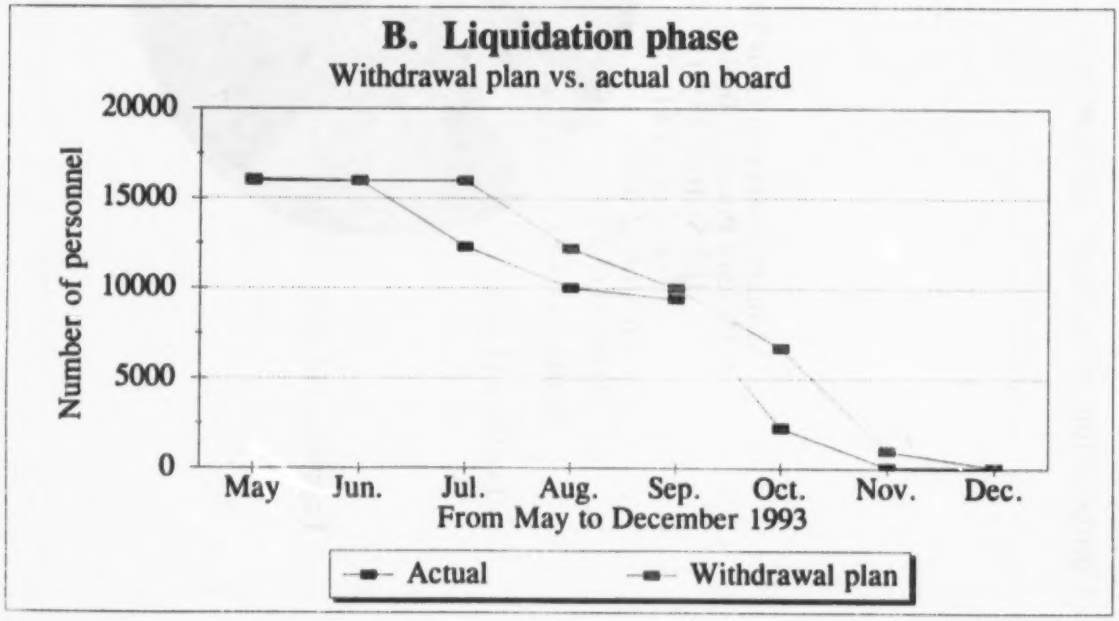


Annex II
Composition of military components

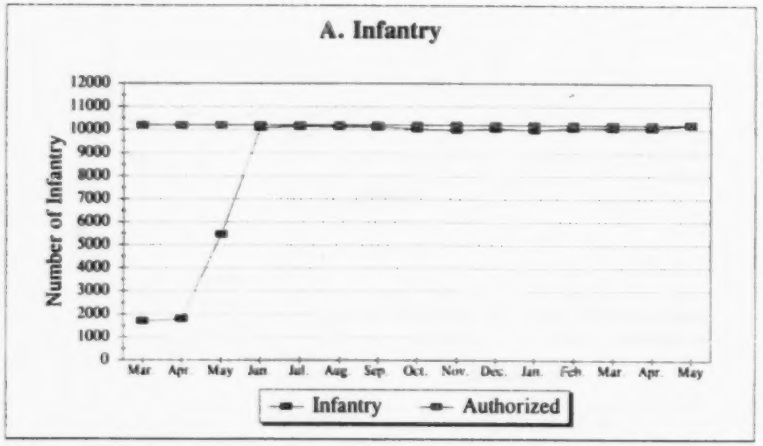


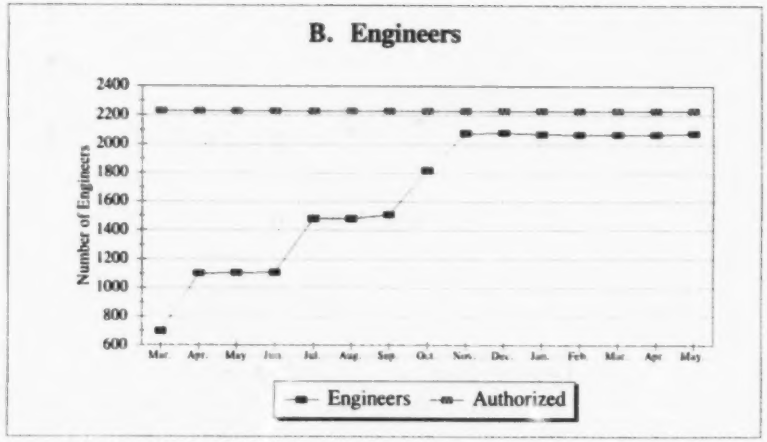
Annex III
Military components

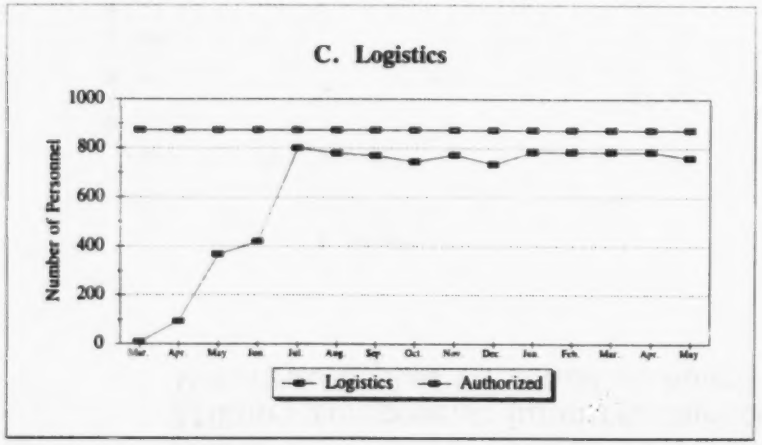


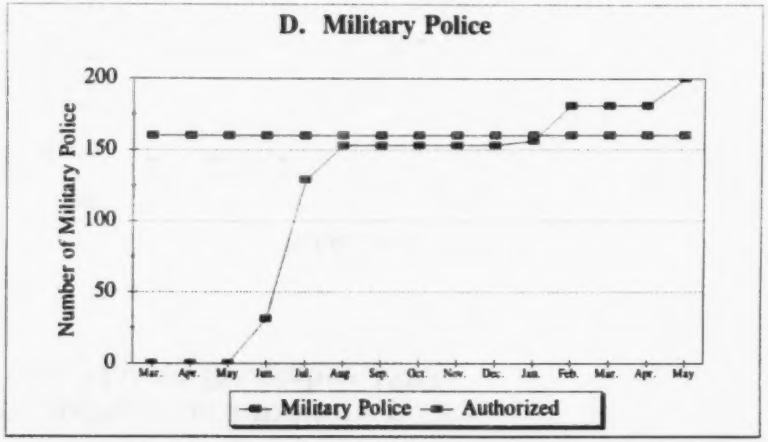


Annex IV
Military component: infantry, engineers, logistics and military police
Authorized vs. actual deployment from March 1992 to May 1993

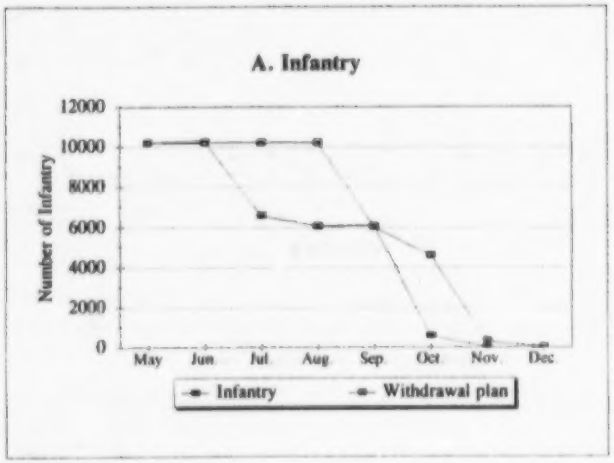


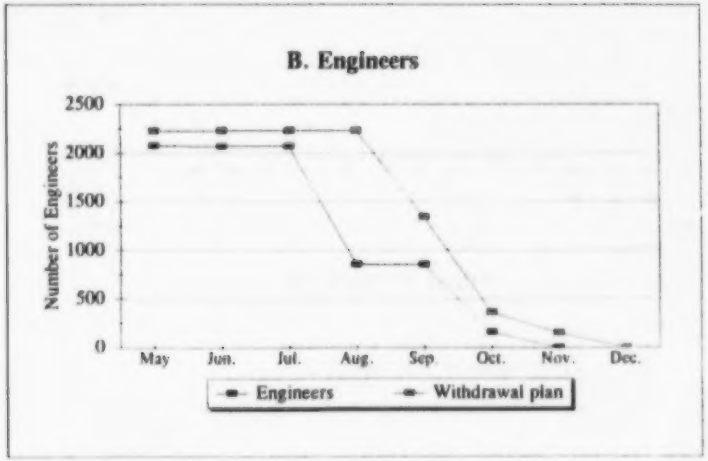


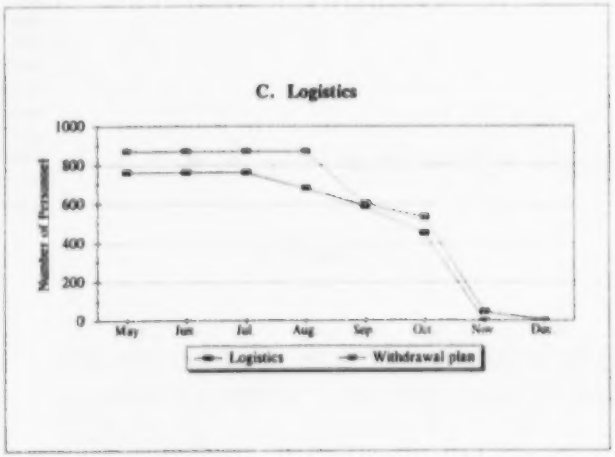


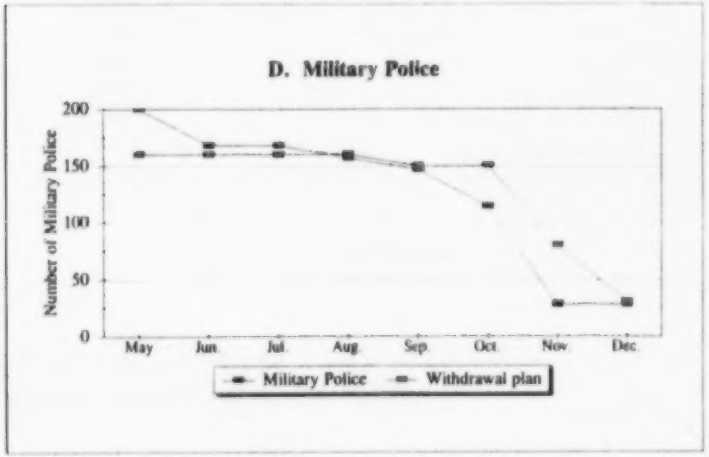


Annex V
Military component: infantry, engineers, logistics and military police
Withdrawal plan vs. actual on board from May to December 1993



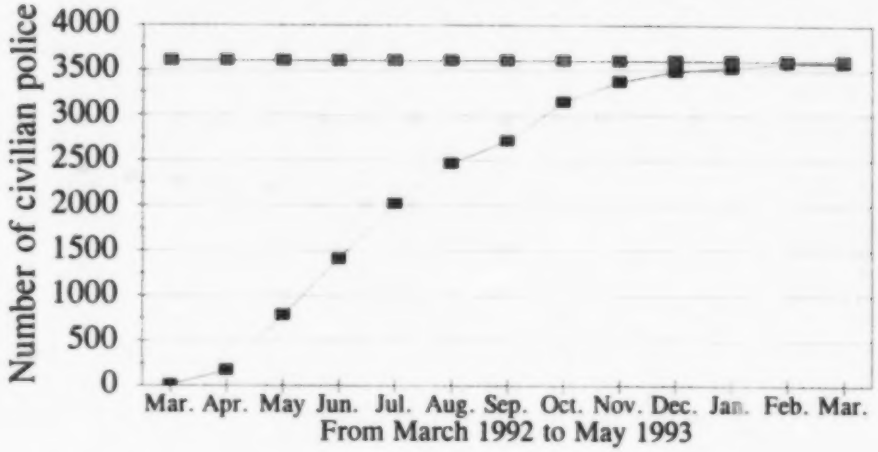






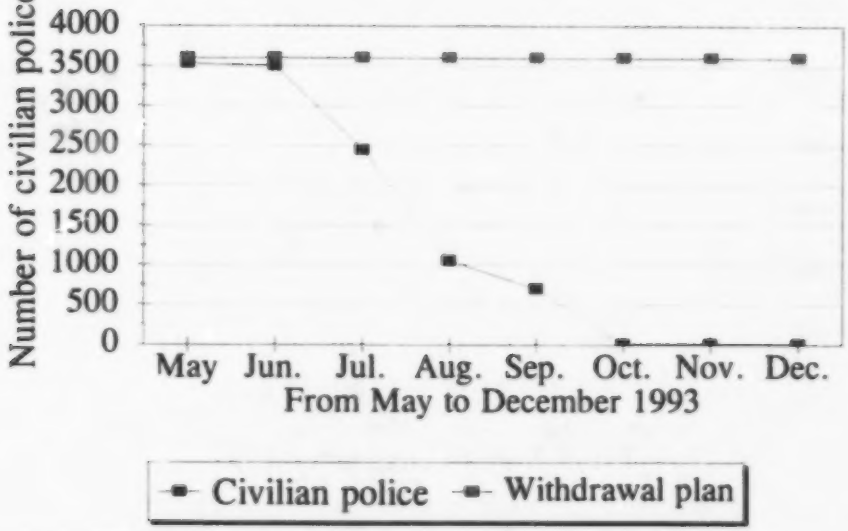
Annex VI
Civilian police component

A. Authorized vs. actual deployment



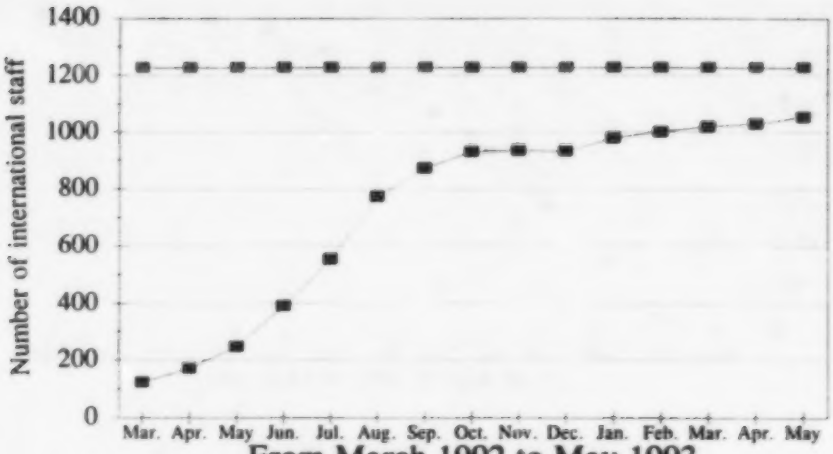
B. Liquidation phase

Withdrawal plan vs. actual on board

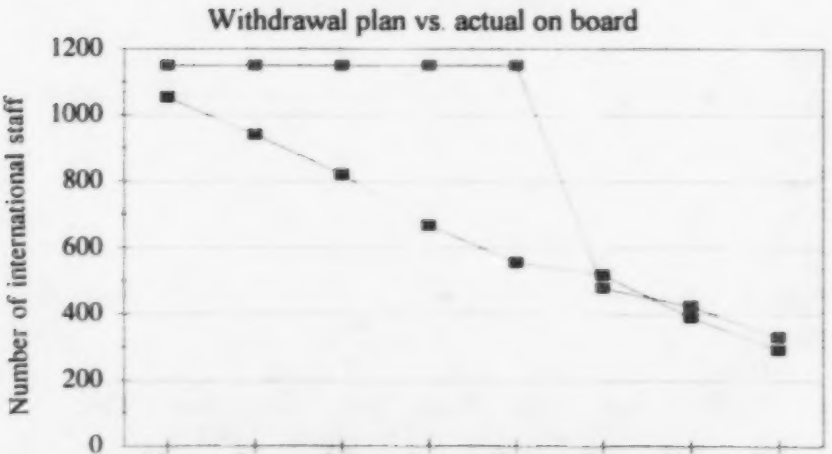


Annex VII
International staff

A. Authorized vs. actual deployment

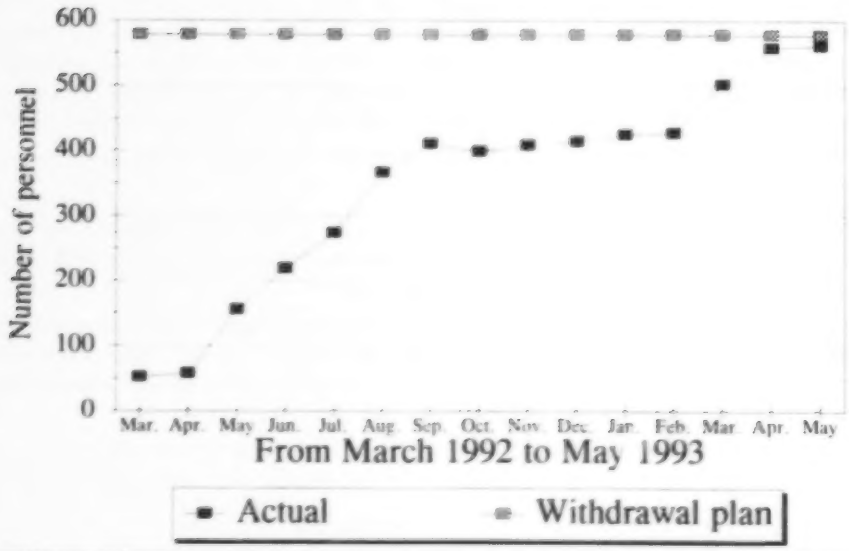


B. Liquidation phase



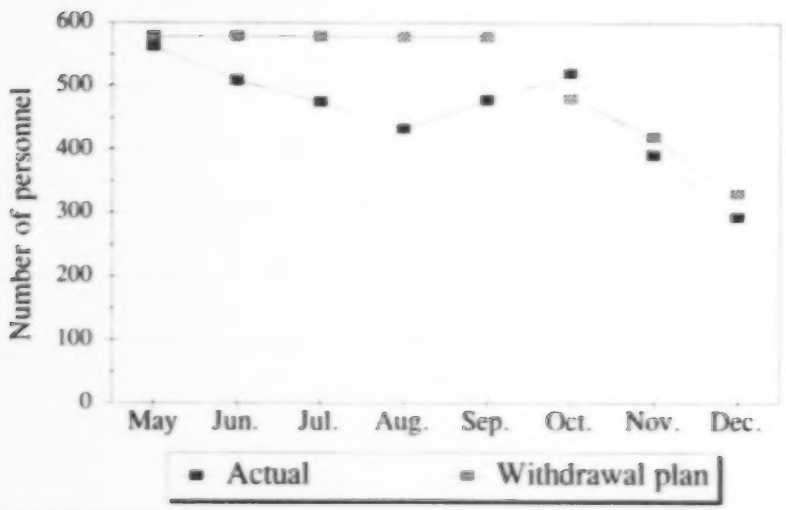
Annex VIII
Office of the Director of Administration
International administrative staff

A. Authorized vs. actual deployment



B. Liquidation phase

Withdrawal plan vs. actual on board



Annex IX
United Nations Transitional Authority in Cambodia: Priorities for disposal of assets from demobilizing peacekeeping missions

1. With the increasing number of peacekeeping operations worldwide, transfer of equipment to other missions or storage in anticipation of upcoming missions are the alternatives of choice, in that such actions result in overall reduced costs to the Organization. Mission administrative personnel will assume responsibility for determining the method for disposal of all mission assets, in line with the priorities described below, bearing in mind cost-effectiveness and the overall requirements of all field missions.

2. In the closing down of a peacekeeping mission, the mission's equipment and other property are to be disposed of in the following manner:

   (a) Equipment that conforms to established standardization or that is considered compatible with existing equipment will be redeployed to other United Nations operations elsewhere in the world or placed in reserve to form start-up kits for use by future missions;

   (b) Equipment that is not required by other peacekeeping missions, but which may be useful for operations of other United Nations agencies, international organizations or non-governmental organizations, and which it is not feasible to keep in reserve in terms of (a) above, may be sold to such agencies or organizations at depreciated rates;

   (c) Any unneeded equipment or property that it would not be feasible to dispose of as described above will be subject to commercial disposal within the country, following standard United Nations regulations and procedures;

   (d) Any surplus mission assets that remain after disposition under the terms of paragraphs (a) to (c) above, and/or any assets that have already been installed in the country and which, if dismantled, would in fact set back the rehabilitation process of the country, will be contributed free of charge to its duly recognized Government. This refers, in particular, to airfield installations and equipment, bridges and mine-clearing equipment. Such contributions would, of course, be reported *ex post facto* to the General Assembly. To the extent possible, it would be useful to designate in advance such assets to be contributed to the country so as to enable appropriate planning and avoid late decisions during the final stages of the mission.

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Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations

Peacekeeping Reserve Fund

Report of the Secretary-General

Summary

The General Assembly, in its resolution 47/217 of 23 December 1992, decided to establish a Peacekeeping Reserve Fund as a cash flow mechanism to ensure the rapid response of the Organization to the needs of peacekeeping operations.

The present report provides information on the status of the Reserve Fund as at 31 March 1996, as well as utilization of the Fund by month from November 1993 to 31 March 1996. It also provides information on Member States' shares of the Fund pursuant to General Assembly resolution 45/247 of 21 December 1990.

As indicated in paragraph 11 of the report, the actions to be taken by the General Assembly at its resumed fifty-first session are as follows: (a) take note of the present report; and (b) decide that, with respect to the application of the provisions of paragraph (g) of General Assembly resolution 47/217, the five Member States (Democratic People's Republic of Korea, Federated States of Micronesia, Marshall Islands, Republic of Korea and San Marino), which became Members of the United Nations prior to the adoption of that resolution but after the adoption of resolution 45/247, will not have a claim to a share in the Reserve Fund.

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I. Introduction

1. In its resolution 47/217 of 23 December 1992, the General Assembly decided, *inter alia*, to establish a Peacekeeping Reserve Fund as a cash flow mechanism to ensure the rapid response of the Organization to the needs of peacekeeping operations. The Secretary-General previously reported to the General Assembly on the implementation of the resolution (A/48/622 and A/49/654), and the Advisory Committee on Administrative and Budgetary Questions subsequently reported thereon to the General Assembly at its fiftieth session (A/50/976). The present document provides further information on implementation of General Assembly resolution 47/217 and responds to issues raised in the report of the Advisory Committee.

II. Status of the Fund

2. General Assembly resolution 47/217 established the Reserve Fund at a level of $150 million and provided that that amount should be transferred from surplus balances of the special accounts for the United Nations Transition Assistance Group (UNTAG) and the United Nations Iran-Iraq Military Observer Group (UNIIMOG), with any difference remaining being transferred from the amount retained in the General Fund pursuant to General Assembly resolution 42/216 A of 21 December 1987.

3. Annex I provides a summary status of the Reserve Fund and indicates that a balance of $94.7 million was available as at 31 March 1996. Total receipts to the Reserve Fund amounted to $94.7 million and consisted of transfers from UNTAG ($47.0 million), UNIIMOG ($17.3 million), and the General Fund ($25.0 million), interest income ($5.1 million) and a voluntary contribution ($351,989). An amount of $60.7 million was still due to the Reserve Fund, consisting of funds to be transferred from the United Nations General Fund ($57.6 million), UNTAG ($2.2 million) and UNIIMOG ($903,071).

4. Loans to six peacekeeping operations, namely, the United Nations Observer Mission in El Salvador (ONUSAL), the United Nations Angola Verification Mission (UNAVEM), the United Nations Transitional Authority in Cambodia (UNTAC), the United Nations Observer Mission Uganda-Rwanda (UNOMUR), the United Nations Observer Mission in Liberia (UNOMIL) and the United Nations Assistance Mission for Rwanda (UNAMIR), have been repaid to the Reserve Fund in full. No additional loans have been made to existing peacekeeping operations. Annexes II A and B provide information on the utilization of the Reserve Fund by month from November 1993 to 31 March 1996.

III. Member States' shares of the Fund

5. In its resolution 47/217, the General Assembly decided:

   "(e) That Member States' shares of the Fund shall remain fixed and shall be calculated on the basis of the ad hoc apportionment as set out in General Assembly resolution 45/247 of 21 December 1990;

   "(g) That States which become Members of the United Nations following the date of the adoption of the present resolution and which do not have a claim to a share in the Fund shall contribute to the Fund in accordance with the scale of apportionment for peacekeeping operations in effect on the date of their first assessment for United Nations peacekeeping operations".

6. A breakdown of the Fund's $150 million approved level is provided in annex III. As provided for in the resolution, the shares of Member States have been calculated using the ad hoc apportionment set out in General Assembly resolution 45/247 of 21 December 1990, with a minor adjustment in respect of the two Member States that joined the Organization in 1990 (Liechtenstein and Namibia). As their share of the surplus balances from which the $150 million was to be transferred was exceeded by their share of

$150 million, the difference, an amount of $9,519, was distributed *pro rata* among other Member States on the basis of resolution 45/247.

7. The provision for assessment of new Member States for the Fund is stressed in the report of the Advisory Committee. A strict interpretation of paragraphs (e) and (g) of resolution 47/217, as cited above, raises a serious question of interpretation. Paragraph (g) of the resolution provides that States joining after "the date of the adoption of the present resolution" (that is, 23 December 1992) and without "a claim to a share in the Fund" should be assessed. Paragraph (e) assigns shares to Member States based on the ad hoc apportionment set out in resolution 45/247, which was adopted on 21 December 1990. A strictly literal interpretation of resolution 47/217 would therefore exclude from participation in the Fund those Member States that joined the Organization between 21 December 1990 and 23 December 1992.

8. Of the 20 Member States in this category, 15 can be said to "have a claim to a share in the Fund" and would thus not be assessed under the provisions of resolution 47/217 in any case. As regards the remaining five Member States (Democratic People's Republic of Korea, Federated States of Micronesia, Marshall Islands, Republic of Korea and San Marino), the Secretary-General believes that it is quite clear that the General Assembly intended resolution 47/217 to apply to all States Members of the United Nations. In that case, the provisions of paragraph (g) of the resolution would also have to be applied to States that became Members of the United Nations prior to the adoption of resolution 47/217 but after the adoption of resolution 45/247.

9. Of the 27 Member States that have joined the Organization since 21 December 1990, 18 (Armenia, Azerbaijan, Bosnia and Herzegovina, Croatia, Czech Republic, Estonia, Georgia, Kazakstan, Kyrgyzstan, Latvia, Lithuania, Republic of Moldova, Slovakia, Slovenia, Tajikistan, the former Yugoslav Republic of Macedonia, Turkmenistan and Uzbekistan) can be said to "have a claim to a share in the Fund" in respect of the amounts listed in annex III to the credit of Czechoslovakia, the Union of Soviet Socialist Republics and the Socialist Federal Republic of Yugoslavia. In this connection, the financial assets and liabilities of the former Czechoslovakia were, by agreement of the two successor States, divided between the Czech Republic and Slovakia in the ratio of 2:1. In addition, it will be recalled that, by its decision 47/456 of 23 December 1992, the General Assembly set rates of assessment for Armenia, Azerbaijan, Belarus, Bosnia and Herzegovina, Croatia, Estonia, Georgia, Kazakstan, Kyrgyzstan, Latvia, Lithuania, Republic of Moldova, Russian Federation, San Marino, Slovenia, Tajikistan, Turkmenistan, Ukraine, Uzbekistan and Yugoslavia. In paragraph 7 (b) of its related report (A/47/833), the Fifth Committee stated its understanding, *inter alia*, that:

> "The advances of new Member States to the Working Capital Fund under Regulation 5.8 of the Financial Regulations of the United Nations shall be calculated by the application of the rates of assessment in effect during their first full year of membership to the authorized level of the Fund; the advance of San Marino to the Working Capital Fund shall be added to the Fund pending the incorporation of its rate of assessment in a 100.00 per cent scale; the advances of the other new Member States and the additional advances of Belarus and Ukraine shall be transferred from those of the former Union of Soviet Socialist Republics and the Socialist Federal Republic of Yugoslavia, respectively."

Subsequently, in its resolution 48/223 A of 23 December 1993, the General Assembly, *inter alia*, resolved that the advance of the former Yugoslav Republic of Macedonia to the Working Capital Fund should be transferred from that of Yugoslavia in accordance with its rate of assessment. Based on that precedent, it is the Secretary-General's view that the 18 Member States referred to above can be said to "have a claim to a share in the Fund". Were the shares in the Fund of the former Czechoslovakia, Union of Soviet Socialist Republics and Socialist Federal Republic of Yugoslavia to be assigned according to the same formulas, possible distributions are shown in annex IV for illustrative purposes.

10. Assessments have been sent to the four Member States admitted since 23 December 1992, which have no "claim to a share in the Fund" (Andorra, Eritrea, Monaco and Palau). The amounts involved are shown in annex V and are based on the Fund's approved level of $150 million.

IV. Actions to be taken by the General Assembly at its resumed fifty-first session

11. The actions to be taken by the General Assembly at its resumed fifty-first session are as follows:

(a) Take note of the present report; and

(b) Decide that, with respect to the application of the provisions of paragraph (g) of General Assembly resolution 47/217, the five Member States listed in paragraph 8 above, which became Members of the United Nations prior to the adoption of that resolution but after the adoption of resolution 45/247, will not have a claim to a share in the Reserve Fund.

Annex I
Summary status of the Peacekeeping Reserve Fund as at 31 March 1996
(United States dollars)

Authorized level of the Fund			**150 000 000**
(*a*)	**Transfers to the Fund pursuant to General Assembly resolution 47/217, para. (7) (i)**		
	(i) From UNTAG	47 002 650	
	(ii) From UNIIMOG	17 253 129	
	(iii) From United Nations General Fund	25 000 000	
			89 255 779
(*b*)	*Interest income*		5 103 447
(*c*)	*Voluntary contribution*		351 989[a]
	Total receipts, (a) + (b) + (c)		**94 711 215**
(*d*)	*Outstanding loans to peacekeeping operations*		-
	Available balance (a) + (b) + (c) - (d)		**94 711 215**
(*e*)	*Due to the Reserve Fund*		
	From the United Nations General Fund	57 601 038[b]	
	From UNTAG	2 240 112	
	From UNIIMOG	903 071	
	Total		**60 744 221**

[a] Voluntary contribution from Switzerland.

[b] To be transferred from the amount of $154,881,112 that has been retained in the General Fund pursuant to General Assembly resolution 42/216 A of 21 December 1987.

Annex II A
Utilization of the Peacekeeping Reserve Fund
November 1993 to December 1994

(Millions of United States dollars)

	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec
	1993		1994											
Receipts	65.0	65.0	65.0	65.0	65.0	65.0	65.0	65.0	65.0	65.0	65.0	65.1	65.1	65.1
Loans outstanding														
United Nations Observer Mission in El Salvador	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0
United Nations Angola Verification Mission	19.0	19.0	19.0	19.0	19.0	15.0	15.0	15.0	15.0	16.0	-	-	-	-
United Nations Transitional Authority in Cambodia	37.9	37.9	37.9	37.9	37.9	37.9	37.9	37.9	37.9	37.9	37.9	37.9	37.9	32.9
United Nations Observer Mission in Uganda-Rwanda	0.4	0.5	0.7	0.7	0.7	-	-	-	-	-	-	-	-	-
United Nations Observer Mission in Liberia	-	-	0.2	0.2	-	-	-	-	2.0	2.0	2.0	2.0	2.0	2.0
United Nations Assistance Mission for Rwanda	-	-	1.2	1.2	-	-	-	-	-	-	-	-	-	-
Total loans	**63.3**	**63.4**	**65.0**	**65.0**	**63.6**	**58.9**	**58.9**	**58.9**	**60.9**	**61.9**	**45.9**	**45.9**	**45.9**	**40.9**
Available balance	1.7	1.6	-	-	1.4	6.1	6.1	6.1	4.1	3.1	19.1	19.2	19.2	24.2

Annex II B
Utilization of the Peacekeeping Reserve Fund
January 1995 to March 1996
(Millions of United States dollars)

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar
	1995												1996		
Receipts	65.1	65.1	90.3	90.6	91.0	91.3	91.6	92.0	92.3	92.7	93.2	93.7	93.7	93.7	94.20
Loans outstanding															
United Nations Observer Mission in El Salvador	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	-	-	-	-	-	-	-
United Nations Angola Verification Mission	19.0	19.0	19.0	15.0	15.0	15.0	15.0	15.0	-	-	-	-	-	-	-
United Nations Transitional Authority in Cambodia	28.0	18.0	18.0	-	-	-	-	-	-	-	-	-	-	-	-
United Nations Observer Mission in Uganda-Rwanda	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
United Nations Observer Mission in Liberia	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	-	-	-	-	-	-
United Nations Assistance Mission for Rwanda	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total loans	**55.0**	**45.0**	**45.0**	**23.0**	**23.0**	**23.0**	**23.0**	**23.0**	**2.0**	-	-	-	-	-	-
Available balance	10.1	20.1	45.3	67.6	68.0	68.3	68.6	69.0	90.3	92.7	93.2	93.7	93.7	93.7	94.2

Annex III

Member States' share of the Peacekeeping Reserve Fund established by General Assembly resolution 47/217

(United States dollars)

Member States	*Share in PRF*	*Surplus to be transferred from*		
		UNIIMOG	*UNTAG*	*Regular Budget*
Afghanistan	1 491	175	492	824
Albania	2 998	366	985	1 647
Algeria	45 003	5 445	14 773	24 785
Angola	1 491	175	492	824
Antigua and Barbuda	1 491	175	492	824
Argentina	198 017	23 967	65 001	109 049
Australia	2 355 148	285 054	773 111	1 296 983
Austria	1 110 074	134 359	364 396	611 319
Bahamas	6 005	724	1 970	3 311
Bahrain	6 005	724	1 970	3 311
Bangladesh	1 491	175	492	824
Barbados	2 998	366	985	1 647
Belgium	1 755 108	212 429	576 140	966 539
Belize	1 491	175	492	824
Benin	1 491	175	492	824
Bhutan	1 491	175	492	824
Bolivia	2 998	366	985	1 647
Botswana	1 491	175	492	824
Brazil	435 031	52 656	142 804	239 571
Brunei Darussalam	12 002	1 447	3 939	6 616
Bulgaria	45 003	5 445	14 773	24 785
Burkina Faso	1 491	175	492	824
Burundi	1 491	175	492	824
Belarus	495 034	59 914	162 501	272 619
Cambodia	2 998	366	985	1 647
Cameroon	2 998	366	985	1 647
Canada	4 635 293	561 030	1 521 601	2 552 662
Cape Verde	1 491	175	492	824
Central African Republic	1 491	175	985	331
Chad	1 491	175	492	824
Chile	24 005	2 902	7 879	13 224
China	1 445 085	175 012	478 619	791 454
Colombia	41 996	5 087	13 788	23 121
Comoros	1 491	175	492	824
Congo	2 998	366	985	1 647
Costa Rica	6 005	724	1 970	3 311
Côte d'Ivoire	6 005	724	1 970	3 311
Cuba	27 003	3 267	8 864	14 872
Cyprus	6 005	724	1 970	3 311
Czechoslovakia	990 068	119 835	325 002	545 231
Denmark	1 035 063	125 281	339 775	570 007
Djibouti	1 491	175	492	824

Member States	Share in PBF	Surplus to be transferred from		
		UNIIMOG	UNTAG	Regular Budget
Dominica	1 491	175	492	824
Dominican Republic	9 004	1 089	2 955	4 960
Ecuador	9 004	1 089	2 955	4 960
Egypt	20 998	2 544	6 894	11 560
El Salvador	2 998	366	985	1 647
Equatorial Guinea	1 491	175	985	331
Ethiopia	1 491	175	492	824
Fiji	2 998	366	985	1 647
Finland	765 049	92 594	251 138	421 317
France	11 423 675	1 378 196	3 786 541	6 258 938
Gabon	9 004	1 089	2 955	4 960
Gambia	1 491	175	985	331
Germany	14 040 885	1 699 417	3 978 815	8 362 653
Germany (Democratic Republic of)	-	-	630 307	(630 307) [a]
Ghana	2 998	366	985	1 647
Greece	120 007	14 523	39 394	66 090
Grenada	1 491	175	492	824
Guatemala	6 005	724	1 970	3 311
Guinea	1 491	175	492	824
Guinea-Bissau	1 491	175	492	824
Guyana	2 998	366	985	1 647
Haiti	1 491	175	492	824
Honduras	2 998	366	985	1 647
Hungary	63 010	7 623	20 682	34 705
Iceland	45 003	5 445	14 773	24 785
India	111 003	13 434	36 440	61 129
Indonesia	45 003	5 445	14 773	24 785
Iran (Islamic Republic of)	207 005	25 056	67 955	113 994
Iraq	36 006	4 356	11 818	19 832
Ireland	270 014	32 680	88 637	148 697
Israel	63 010	7 623	20 682	34 705
Italy	5 985 380	724 435	1 964 786	3 296 159
Jamaica	2 998	366	985	1 647
Japan	17 071 085	2 066 174	5 603 826	9 401 085
Jordan	2 998	366	985	1 647
Kenya	2 998	366	985	1 647
Kuwait	87 007	10 533	28 561	47 913
Lao People's Democratic Republic	1 491	175	492	824
Lebanon	2 998	366	985	1 647
Lesotho	1 491	175	492	824
Liberia	2 998	366	985	1 647
Libyan Arab Jamahiriya	84 007	10 167	27 576	46 264
Liechtenstein	1 813	1 813	-	-
Luxembourg	90 013	10 891	29 546	49 576
Madagascar	2 998	366	985	1 647
Malawi	1 491	175	492	824
Malaysia	33 000	3 991	10 833	18 176

Member States	Share in PRF	Surplus to be transferred from		
		UNIIMOG	UNTAG	Regular Budget
Maldives	1 491	175	492	824
Mali	1 491	175	492	824
Malta	2 998	366	985	1 647
Mauritania	1 491	175	985	331
Mauritius	2 998	366	985	1 647
Mexico	282 017	34 134	92 577	155 306
Mongolia	2 998	366	985	1 647
Morocco	12 002	1 447	3 939	6 616
Mozambique	1 491	175	492	824
Myanmar	1 491	175	985	331
Namibia	175	175	-	-
Nepal	1 491	175	492	824
Netherlands	2 475 155	299 577	812 506	1 363 072
New Zealand	360 027	43 578	118 183	198 266
Nicaragua	2 998	366	985	1 647
Niger	1 491	175	492	824
Nigeria	60 011	7 266	19 697	33 048
Norway	825 051	99 859	270 835	454 357
Oman	6 005	724	1 970	3 311
Pakistan	17 999	2 178	5 909	9 912
Panama	6 005	724	1 970	3 311
Papua New Guinea	1 491	175	492	824
Paraguay	9 004	1 089	2 955	4 960
Peru	17 999	2 178	5 909	9 912
Philippines	27 003	3 267	8 864	14 872
Poland	168 015	20 334	275 759	(128 078) [b]
Portugal	54 006	6 534	17 727	29 745
Qatar	15 001	1 813	4 924	8 264
Romania	57 005	6 900	18 712	31 393
Rwanda	1 491	175	492	824
Saint Kitts and Nevis	1 491	175	492	824
Saint Lucia	1 491	175	492	824
Saint Vincent and the Grenadines	1 491	175	492	824
Samoa	1 491	175	492	824
Sao Tome and Principe	1 491	175	492	824
Saudi Arabia	306 013	37 036	100 455	168 522
Senegal	1 491	175	492	824
Seychelles	1 491	175	492	824
Sierra Leone	1 491	175	985	331
Singapore	33 000	3 991	10 833	18 176
Solomon Islands	1 491	175	492	824
Somalia	1 491	175	492	824
South Africa	675 044	81 703	221 592	371 749
Spain	2 077 220	283 234	192 047	1 601 939
Sri Lanka	2 998	366	985	1 647
Sudan	1 491	175	492	824
Suriname	1 491	175	492	824

Member States	Share in PRF	Surplus to be transferred from		
		UNIIMOG	UNTAG	Regular Budget
Swaziland	2 998	366	985	1 647
Sweden	1 815 112	219 687	595 837	999 588
Syrian Arab Republic	12 002	1 447	3 939	6 616
Thailand	30 009	3 633	9 849	16 527
Togo	1 491	175	985	331
Trinidad and Tobago	15 001	1 813	4 924	8 264
Tunisia	9 004	1 089	2 955	4 960
Turkey	95 994	11 622	31 515	52 857
Uganda	1 491	175	492	824
Ukraine	1 875 115	226 953	615 535	1 032 627
Union of Soviet Socialist Republics	18 260 902	2 202 924	6 052 408	10 005 570
United Arab Emirates	57 005	6 900	18 712	31 393
United Kingdom of Great Britain and Northern Ireland	8 883 873	1 071 932	2 944 415	4 867 526
United Republic of Tanzania	1 491	175	492	824
United States of America	45 707 360	5 514 963	15 146 181	25 046 216
Uruguay	12 002	1 447	3 939	6 616
Vanuatu	1 491	175	492	824
Venezuela	171 006	20 700	56 137	94 169
Viet Nam	2 998	366	985	1 647
Yemen	1 940	175	984	781
Yugoslavia	137 998	16 702	45 303	75 993
Zaire	2 998	366	985	1 647
Zambia	2 998	366	985	1 647
Zimbabwe	2 983	350	985	1 648
Total	**150 000 000**	**18 156 200**	**49 242 762**	**82 601 038**

[a] Shares in the Peacekeeping Reserve Fund are calculated on the basis of the ad hoc apportionment as set out in General Assembly resolution 45/247 of 21 December 1990, at which time the German Democratic Republic was no longer in existence. However, the German Democratic Republic had a share of the surplus balances in the special account for UNTAG, which under the terms of resolution 47/217 was required to be transferred as part of financing of the Peacekeeping Reserve Fund. In order to avoid the German Democratic Republic having a share in the Peacekeeping Reserve Fund, an amount equivalent to its share of the UNTAG surpluses was transferred and added to its share of surpluses retained for the Regular Budget under the terms of resolution 42/216 A of 21 December 1987.

[b] Poland's share in the surplus balances of the special account for UNTAG is based on an ad hoc apportionment scale in which Poland was among the group of "B" States. Since its share of the Peacekeeping Reserve Fund is based on an ad hoc apportionment scale in which Poland is among the group of "C" States, the amount of its share of UNTAG surpluses required to be transferred to finance the Peacekeeping Reserve Fund was in excess of what was needed for its share of that fund. In order to bring its share of the Peacekeeping Reserve Fund back down to the correct level, the difference was transferred and added to its share of surpluses retained for the Regular Budget under the terms of resolution 42/216 A of 21 December 1987.

Annex IV
A possible distribution of the shares in the Peacekeeping Reserve Fund of the former Czechoslovakia, Union of Soviet Socialist Republics and Socialist Federal Republic of Yugoslavia based on the distribution of advances to the Working Capital Fund pursuant to General Assembly decision 47/456 and resolution 48/223 A

A. Distribution of shares in the Peacekeeping Reserve Fund of the former Czechoslovakia

(United States dollars)

Member State	*Apportionment*[a]
Czech Republic	660 045
Slovakia	330 023
Total	**990 068**

[a] Based on a bilateral agreement under which the credits of the former Czech and Slovak Federal Republic have been divided between the Czech Republic and Slovakia.

B. Distribution of shares in the Peacekeeping Reserve Fund of the former Union of Soviet Socialist Republics

Member State	*Rate of assessment (%)*	*(1) Pro rata distribution of shares in the Fund*[a]	*(2) Distribution based on peacekeeping grouping*[b]
Armenia	0.13	252 276	39 000
Azerbaijan	0.22	426 929	66 000
Belarus (additional)	0.17	329 899	255 000
Estonia	0.07	135 841	21 000
Georgia	0.21	407 523	63 000
Kazakstan	0.35	679 205	105 000
Kyrgyzstan	0.06	116 435	18 000
Latvia	0.13	252 276	39 000
Lithuania	0.15	291 088	45 000
Republic of Moldova	0.15	291 088	45 000
Russian Federation	6.71	13 021 323	16 418 902
Tajikistan	0.05	97 029	15 000
Turkmenistan	0.06	116 435	18 000
Ukraine (additional)	0.69	1 339 003	1 035 000
Uzbekistan	0.26	504 552	78 000
Total	**9.41**	**18 260 902**	**18 260 902**

[a] Distribution of the former USSR's total share in the Reserve Fund of $18,260,902 similar to the distribution of the Working Capital Fund, i.e., at regular budget rates of assessment.

[b] Distribution of the total reserve of $150,000,000 according to the effective rates for peacekeeping of each Member State. The difference between the amounts apportioned to the new Member States and the total share attributable to the former USSR of $18,260,902 is assigned to the Russian Federation.

C. Distribution of shares in the Peacekeeping Reserve Fund of the former Socialist Federal Republic of Yugoslavia

Member State	*Rate of assessment (%)*	*(1) Pro rata distribution of shares in the Fund[a]*	*(2) Distribution based on peacekeeping grouping[b]*
Bosnia	0.04	13 143	12 000
Croatia	0.13	42 714	39 000
Slovenia	0.09	29 571	27 000
The former Yugoslav Republic of Macedonia	0.02	6 571	6 000
Yugoslavia	0.14	45 999	53 998
Total	**0.42**	**137 998**	**137 998**

[a] Distribution of the total share in the Reserve Fund of $137,998 of the former Socialist Federal Republic of Yugoslavia, similar to the distribution of the Working Capital Fund, i.e., at regular budget rates of assessment.

[b] Distribution of the total reserve of $150,000,000 according to the effective rates for peacekeeping of each Member State. The difference between the amounts apportioned to the new Member States and the total share attributable to the former Socialist Federal Republic of Yugoslavia of $137,998 is assigned to Yugoslavia.

Annex V
Assessments sent to new Member States
(United States dollars)

Member State	*Rate of assessment (%)*	*Amounts assessed based on peacekeeping group*
Andorra	0.01	15 000
Eritrea	0.01	1 500
Monaco	0.01	15 000
Palau	0.01	1 500